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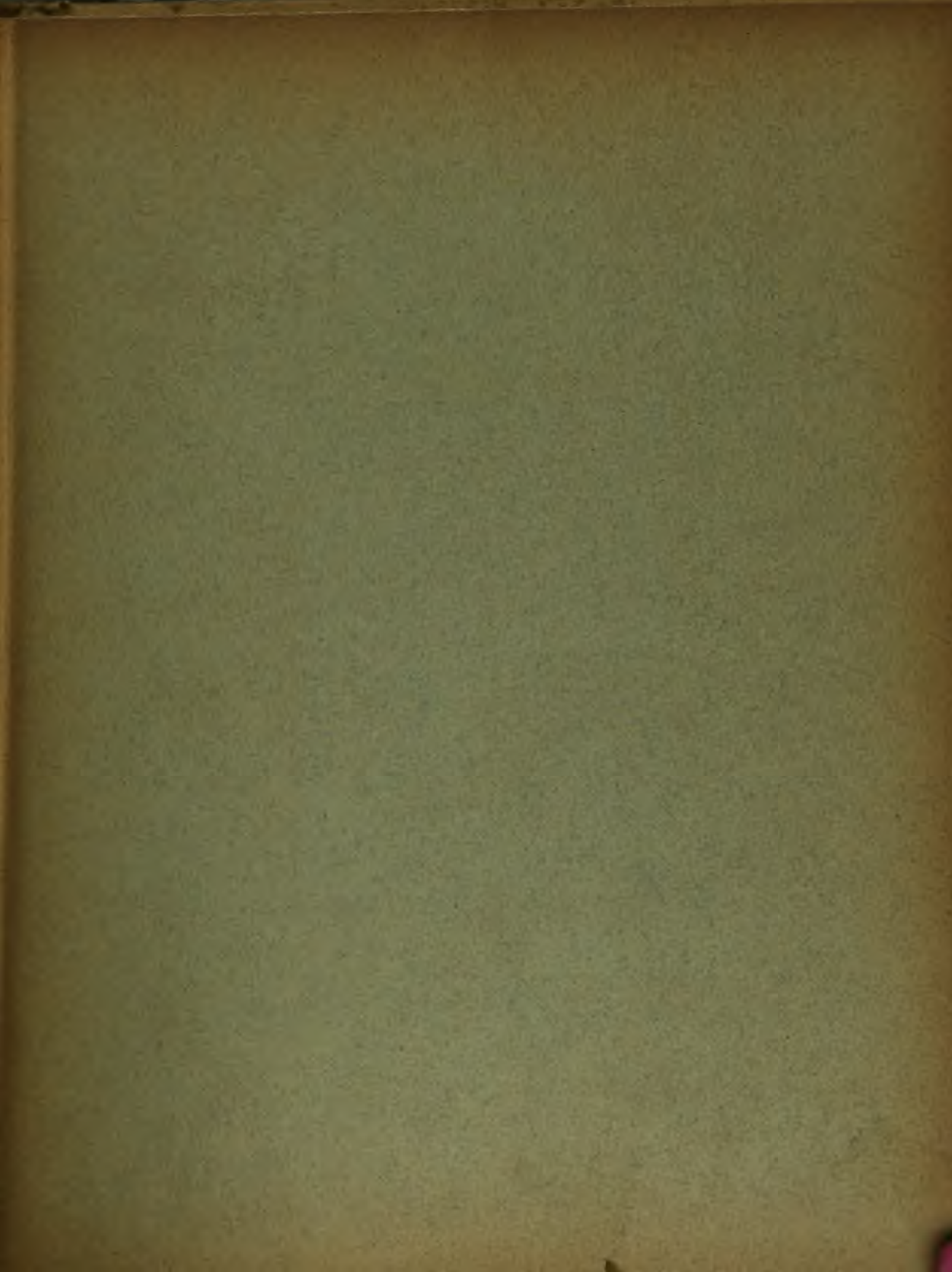
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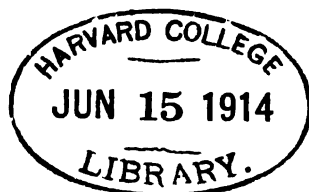


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XLI.—PRO WILLIELMO DYETT, JUNIORE, FABRO FERRARIO, EJUSQUE SPONSA FUTURA, ETC.

IN Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Aprilis die decimo nono regnorum-que S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quadragesimo [nono] et xiiij In mei notarii publici et testium subscriptorum presentiis personaliter constituti probe persone Willielmus Dyett senior faber ferrarius burgensis burgi de Irwing et Joneta Dickie conjuges comparuerent super solum et fundum illius eorum tenementi horti et aggeris ejusdem jacentis infra dictum burgum de Irwing inter tenementum nunc Niniani Symson ex australi et communem vennellam qua itur ad lie Chapelfurd et Golfhills ex boreali partibus ab una et aliis et similiter super solum et fundum illius eorum domus fabricini lie smiddiehous et pecie terre eidem annexate jacentis ad frontem anteriorem predicti eorum tenementi jacentis infra dictum burgum ad lie Kaenest ex occidentale latere vie regie ejusdem Et ibidem dicti conjuges unanimi consensu et assensu non vi aut metu ducti nec errore lapsi fraude nec dolo aliquo circumventi sed suis meris liberis et spontaneis voluntatibus pro observatione et impletione unius eorum partis cujusdam contractus matrimonialis initi et confecti inter dictum Willielmum Dyett seniore ejusdem sponsam predictam et Willielmum Dyett eorum filium legitimum et heredem apparentem ab una et Katherinam Neilsoun filiam legitimam

quondam Joannis Neilsoun notarii burgensis dicti burgi partibus ab altera penes matrimonium inter dictos Willielmum Dyett juniorem et dictam Katherinam contractum et postea deo favente solempnizatum de data decimo sexto die mensis Aprilis instantis totum et integrum predictum eorum tenementum terre ante et retro subtus et supra cum horto aggere et ejusdem pertinentiis una etiam cum predicta eorum domo fabrilis lie Smyddiehous et petia terre eidem annexata ut supra respective jacentia Unacum omnibus jure titulo interesse jurisclameo proprietate et possessione tam petitorio quam possessorio que seu quas dicti conjuges eorumve heredes successores aut assignati in et ad eadem seu aliquam earundem partem cum pertinentiis habuerunt habent seu quovismodo in futurum habere clamare vel pretendere potuerant In manibus honorabilis viri Joannis Blair unius ballivorum dicti burgi sursum reddiderunt pureque et simpliciter per fustim et baculum ut moris est resignarunt renunciarunt et extra donarunt imperpetuum In favorem dicti Willielmi Dyett junioris eorum filii legitimi et heredis apperentis et Katherine Neilsoun ejus sponse future ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum illis eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreandis quibus deficientibus legitimis et propinquiioribus heredibus et assignatis dicti Willielmi quibuscunque hereditarie et irredimabiliter absque aliqua reversione redemptione seu regressu in debita et competenti forma prout congruit danda et conficienda Reservato tamen dicto Willielmo Dyett seniori et Jonete Dickie conjugibus durante omnibus eorum vite diebus una et simul viventibus eorum vitalibus redditibus dicti tenementi terre ante et retro cum horto aggere domo fabrilis lie Smyddiehous et ejusdem pertinentiis (excepto nihilominus tantum dicti aggeris ad caput ejusdem quantum dictis futuris conjugibus sufficiet annuatim omnibus temporibus futuris pro seminandum unius lie peck of lintseid) et post primi decessus dicti Willielmi et Jonete conjugum reservato solummodo alteri surviventi si contigerit dictum Willielmum seniore fore unam justam et equalem dimedietatem predicti tenementi terre ante et retro horti et aggeris et totius et integre predictae domus fabrilis lie smyde et pecie terre prescripte eidem annexate pro omnibus sue vite diebus et si contigerit dictam Jonetam Dickie survive dictum Willielmum Dyett seniore suum maritum (Reservato solummodo sibi dicte Jonete justam et equalem dimedietatem dicti tenementi ante et retro horti aggeris et ejusdem pertinentiis durante omnibus sue vite diebus et

nihil ulterius sic quod dicta domus fabrilis lie smiddie et petia terre prescripta eidem annexata dictis futuris conjugibus excipitur et nullo modo in reservatione dicte Jonete Dickie comprehenditur Qua resignatione sic ut premittitur facta debite rite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii necnon de mandatis et requestibus specialibus dictorum resignantium propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem; totius et integri prefati tenementi terre ante et retro horti aggeris et ejusdem pertinentiis ac domus fabrilis lie smiddiehous et pecie terre prescripte eidem annexate jacentium respective ut prefertur memoratis Willielmo Dyett juniore et Katherine Neilsoun ejus future sponse eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi earundem illis personaliter presentibus et manibus junctis acceptantibus traditionem et deliberationem dedit tradidit pariter et cum effectu secundum formam et tenorem dicte resignationis litereque contractus matrimonialis prescripte ac sub reservationibus particulariter supra recitatis in dicto contractu matrimonialis expressis deliberavit Tenendi de dicto S. D. N. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum In super dicta Joneta Dickie in presentia dicti ballivi extra presentiam prefati Willielmi sui mariti personaliter comparuit et ibidem omnia et singula premissa sic ut premittitur facta approbavit ratificavit et sacrosanctis tactis Dei evangeliiis se ad premissa minime coactam aut compulsam fuisse sed eadem ex sua mera libera et spontanea voluntate fecisse et de non revocando in futurum corporale suum prestitit juramentum super quibus omnibus et singulis premissis prefati Willielmus Dyett ejusque futura sponsa predicta ac eorum quilibet pro se metipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura acta erant hec super sola et funda dicti tenementi et domus fabrilis lie smyddie et pecie terre prescripte eidem annexate respective horam circiter nonam ante-meridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Jacobo Quhyt mercatore Joanne Neilsoun notario Davide Tueidy ephippiario Andrea Hendersoun textore Cuthberto Davie seniore pistore et Joanne Young officario templario burgensibus burgi de Irwin cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

R. BROWN.

ABSTRACT.

FOR WILLIAM DYETT, YOUNGER, SMITH, AND HIS
FUTURE SPOUSE, ETC.

Instrument narrating that there compeared personally the worthy persons, William Dyett, elder, blacksmith, burgess of Irvine, and Janet Dickie his spouse, upon the ground of their tenement, yard and rig thereof, lying within the burgh of Irvine between the tenement now of Ninian Symssoun on the south and the common vennel leading to the Chapelfurd and Golfhills on the north; and in like manner, upon the ground of that their smiddiehouse, and piece of land annexed thereto, lying at the fore-front of their tenement aforesaid, lying within the said burgh, at the Kaenest, on the west side of the High Street of the same; and there the said spouses, with unanimous consent and assent, not led by force or fear, nor fallen in error, nor circumvented by any fraud or deceit, but of their own free and spontaneous wills, for observance and fulfilment of their part of a contract of marriage begun and finished between them, and William Dyett their lawful son and heir-apparent, on the one part, and Katherine Neilsoun, lawful daughter of the late John Neilsoun, notary, burgess of the said burgh, on the other part, anent the marriage contracted between the said William Dyett, younger, and the said Katherine, and afterwards, by the favour of God, to be solemnized, of date the sixteenth day of the month of April instant, did surrender, and purely and simply, by staff and baton, as the custom is, did resign, renounce, and for ever overgive, all and whole their tenement of land aforesaid, with yard and rig, together with their smiddiehouse and piece of land, in the hands of an honourable man John Blair, one of the bailies of the said burgh, in favour of the said William Dyett, younger, and Katherine Neilsoun his future spouse, and for this new sasine and heritable infeftment to be given by the said bailie to them, and either of them the longer liver, in conjunct fee, and the heirs to be lawfully procreated between them, which failing, to the lawful and nearest heirs and assignees of the said William whatsoever, heritably and irredeemably, without reversion, redemption, or regress: reserving, however, to the said William Dyett, elder, and Janet Dickie his spouse, during their joint lives, their liferents of the said tenement, smiddiehouse, etc. (excepting only as much of the said rig at the head thereof to the said

future spouse, as shall suffice for the yearly sowing of one peck of lint seed); and after the decease of one or other of the said William and Jonet, spouses, reserving only to the one surviving, if it shall happen to be the said William, elder, one just and equal half of the aforesaid tenement of land, yard, and rig, and of all and whole the said smiddiehouse and piece of land annexed thereto, for all the days of his life; and if it shall happen the said Jonet Dickie to survive the said William Dyett, elder, her husband, reserving only to her the just and equal half of the said tenement, yard, and rig, during all the days of her life, and nothing further, so that the said smiddiehouse and piece of land is excepted to the said future spouses, and is in no way comprehended in the reservation of the said Jonet Dickie: which resignation having been so made, duly and lawfully as is premised, and admitted and received by the said bailie, the aforesaid John Blair, bailie, by virtue of his office, and at the mandate and special requests of the resigners, did with his own hands give state, heritable sasine, and likewise bodily, actual, and real possession of all and whole the aforesaid tenement of land, yard, and rig, and of the smiddiehouse, and piece of land annexed thereto, to the said William Dyett, younger, and Katherine Neilsoun his future spouse, by delivery of earth and stone of the ground of the same to them personally present, and accepting of the same with their hands joined together, according to the term of the said resignation and contract matrimonial: to be holden of the king and his successors in manner of burgh, rendering therefor the burgh fermes and the other usual services: Moreover, the said Jonet Dickie compeared personally in presence of the said bailie, outwith the presence of the said William her husband, and, touching the sacred evangels, approved and ratified all and sundry the premises, declaring that she was no wise forced or compelled thereto, but had done the same of her own free and spontaneous will, and gave her bodily oath that she would not revoke the same in future: Upon the which all and sundry the premises, the said William Dyett and his future spouse, and each one of them for themselves, craved instruments one or more from the notary: These things were done upon the grounds of the said tenement and smiddiehouse, and piece of land respectively, about the ninth hour before noon of the 19th day of April 1616, in presence of witnesses, James Quhyt, merchant, John Neilsoun, notary, David Tueidy, saddler, Andrew Henderson, weaver, Cuthbert Davie, elder, baker, and John Young, kirk officer, burgesses of Irvine.

XLII.—PRO HUGONE BOGIS, SARTORE

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Aprilis die ultimo regnorumque S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quadragesimo nono et decimo tercio In mei notarii publici et testium subscriptorum presentiis, personaliter constitutus providus vir Joannes Bogs sartor burgensis burgi de Irwing comparuit super solum et fundum illius sui tenementi terre jacentis in burgo de Irwing ex orientale lattere vie regie ejusdem inter tenementum Niniani Barclay ex australi et terras quondam Thome Neving ex boreali partibus ab altera et ibidem dictus Joannes non vi aut metu ductus ne errore lapsus fraude nec dolo aliquo circumventus sed sua mera libera et spontanea voluntate pro singularibus amore gratia et favore quos habet et gerit erga discretum adolescentem Hugonem Bogs ejus filium legitimum primo genitum totum et integrum predictum suum tenementum terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis In manibus honorabilis viri Joannis Blair unius ballivorum dicti burgi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extra donavit imperpetuum unacum omnibus jure juristitulo etc. In favorem prefati Hugonis Bogis sui filii ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum dicto Hugoni heredibusque suis de corpore suo legitime procreandis quibus deficientibus dicto Joanni resignanti suisque heredibus et assignatis quibuscunque revertendis, etc. ejusdem in debita et competenti forma prout congruit danda et conficienda Reservato tamen libero tenemento seu vitali reddito predicti tenementi terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis sibi dicto Joanni pro omnibus sue vite diebus Qua resignatione sic ut premittitur facta debite rite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii necnon de mandato et requestu speciale dicti resignantis propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem totius et integri predicti tenementi terre ante et retro subtus et supra horti et aggeris et singulis suis pertinentiis ut supra jacentis memorato Hugoni Bogis personaliter presenti et acceptanti per terre et lapidis fundi

ejusdem illi pro se suisque heredibus suprascriptis quibus deficientibus ut supra ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu secundum formam et tenorem resignationis prescripte deliberavit et hereditarie investivit reservato libero tenemento dicti sui patris ut predicatur Tenendi de dicto S. D. N. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum super quibus omnibus et singulis premissis prefatus Hugo Bogis a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura acta erant hec super solum et fundum dicti tenementi horam circiter septimam antemeridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Thoma Nevein de Monkriding Andrea Tran et Alexandro Montgomerie mercatoribus burgensibus de Irwing et Joanne Wilsoun nuncio cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT

FOR HUGH BOGS, TAILOR

Instrument narrating that a prudent man, John Bogs, tailor, burgess of Irvine, compeared personally upon the ground of that his tenement of land, lying in the said burgh on the east side of the High Street of the same, between the tenement of Ninian Barclay on the south and the lands of the late Thomas Neving on the north, and there the said John, of his own free will, and for the singular love and favour which he had and bare towards a discreet young man Hugh Bogs his first-born son, did resign the said tenement in the hands of an honourable man John Blair, one of the bailies of the said burgh, in favour of the said Hugh Bogs his son, and for this new sasine thereof to be given to him and the heirs of his body, etc. Reserving to the said John his liferent of the said tenement: which resignation having been duly made and received, the said bailie gave sasine accordingly to the said Hugh Bogs, in the usual manner: Done upon the ground of the said tenement about the seventh hour before noon of the last day of April 1616, the witnesses present being Thomas Nevin of Monkriding, Andrew Tran and Alexander Montgomerie, merchants, burgesses of Irvine, and John Wilsoun, messenger.

XLIII.—PRO ROBERTO FERGUSHILL DE EODEM.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Maij die quarto regnorumque S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quadragesimo nono et decimo tercio In mei notarii publici et testium subscriptorum presentiis personaliter accessit honorabilis vir Robertus Fergushill de eodem ad solum et fundum terrarum subscriptarum ac habens et tenens suis in manibus quandam cartam preceptum sasine in se continentem factam datam et concessam per honorabilem etiam virum Robertum Hunter de Hunterstoun de totis et integris illis suis quadraginta sex solidatis et octo denariatis terrarum antiqui extentus de Annanhill Hunter cum domibus edificiis hortis partibus pendiculis et singulis suis pertinentiis jacentibus infra baroniam de Robertoun balliatum de Cunyngham et infra vicecomitatum de Air sibi prefato Roberto Fergushill de eodem heredibus suis et assignatis quibuscunque ac pro sasina hereditaria earundem sibi danda et concedenda Quamquidem cartam preceptum sasine in se continentem prefatus Robertus Fergushill de eodem honorabili viro Roberto Cunynghame de Auchinhervie ballivo in hac parte dicti Roberti Hunter de Hunterstoun in dicto sasine precepto speciali nominato et constituto presentavit et deliberavit Eumque humiliter requirens quatenus hujusmodi sasine preceptum debite executioni secundum ejusdem tenorem poneret et demandaret Qui vero ballivus in hac parte antedictus dictam cartam preceptum sasine in se continentem e manibus dicti Roberti Fergushill de eodem recepit mihique notario publico subscripto perlegendum publicandum et in vulgari astantibus exponendum tradidit cujusquidem sasine precepti tenor sequitur sub hac verborum forma et est talis In super dilectis meis Roberto Cunynghame de Auchinhervie et vestrum cuilibet conjunctim et divisim ballivis meis in hac parte specialiter constitutis salutem vobis precipio et firmiter mando quatenus visis presentibus indilate statum et sasinam hereditariam pariter et possessionem corporalem actuaalem et realem totarum et integrarum prefatarum quadraginta sex solidatarum et octo denariatarum terrarum antiqui extentus de Annanhill Hunter cum singulis suis pertinentiis ut supra jacentium memorato Roberto Fergushill de eodem vel suo certo

actornato latori presentium juste tradatis et deliberetis sine dilatione et hoc nullo modo omittatis ad quod faciendum vobis et vestrum cuilibet conjunctim et divisim ballivis meis in hac parte antedictis meam plenaream et irrevocabilem tenore presentium committo potestatem In cuius rei testimonium presentibus per Robertum Broun notarium scriptis manu mea subscriptis sigillum meum est appensum apud Hunterstoun quarto die mensis Maii anno domini millesimo sexcentesimo decimo sexto Coram his testibus Roberto Cunynghame de Auchinhervie Joanne Michel in Dykis Ardrossan Magistro Joanne Harper ministro verbi Dei apud Kilbryd et prefato Roberto Broun sic subscribitur R. Hunterstoun R. C. Auchinhervie witnes Johne Michell Mr. Jon. Harper witness R. Broun witnes Post cujusquidem carte preceptique sasine in eadem contenti perlectionem publicationem et in vulgari astantibus expositionem prefatus Robertus Cunyngham de Auchinhervie ballivus in hac parte antedictus in dicto sasine precepto specialiter nominatus et constitutus virtute et vigore sui officii ballivatus sibi in hac parte commissi necnon de mandato speciale dicti precepti propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem totarum et integrarum prefatarum quadraginta sex solidatarum et octo denariatarum terrarum antiqui extentus de Annanhill Hunter cum domibus edificiis hortis partibus pendiculis et singulis suis pertinentiis ut supra jacentium memorato Roberto Fergushill de eodem per terre et lapidis fundi earundem illi personaliter presenti et acceptanti ut moris est traditionem et deliberationem debet tradidit pariter et cum effectu secundum tenorem dicte carte preceptique sasine suprascripti in eadem contenti in omnibus punctis deliberavit super quibus omnibus et singulis premissis prefatus Robertus Fergushill de eodem a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura acta erant hec super solum et fundum dictarum terrarum de Annanhill Hunter horam circiter quintam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Joanne Wilsoun in Annanhill Joanne Thomsoun ibidem Colino M'Alexander ibidem et Willielmo Calderwod in Knockintiber cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR ROBERT FERGUSHILL OF THAT ILK.

Instrument narrating that in presence of the notary and witnesses, an honourable man, Robert Fergushill of that ilk, personally went to the ground of the lands underwritten, having and holding in his hands a certain charter, containing a precept of sasine, granted by an honourable man, Robert Hunter of Hunterstoun, to the said Robert Fergushill, his heirs and assignees, of all and whole these his forty shilling, six shilling and eight penny lands of old extent of Annanhill Hunter, with houses, gardens, etc., lying within the barony of Robertoun, bailiery of Cunynghame, and sheriffdom of Ayr; which charter the said Robert Fergushill presented and delivered to an honourable man, Robert Cunynghame of Auchinhervie, bailie in that part of the said Robert Hunter, specially nominated and constituted in the said precept of sasine, humbly requesting that he would put the said precept of sasine to due execution: who, that is the bailie aforesaid, received the said charter containing in it the precept of sasine from the hands of the said Robert Fergushill, and handed the same to the notary to be read, published, and expounded, in the common tongue, to the bystanders, which was accordingly done: the said charter, given under the seal of the granter, being dated at Hunterstoun 4th May 1616, before witnesses, Robert Cunyngham of Auchinhervie, John Michel in Dykes, Ardrossan, Mr. John Harper, minister of the Word of God at Kilbryd, and Robert Broun, notary: After the reading of the said charter and precept of sasine, the aforesaid Robert Cunyngham did, with his own hands, give state, sasine, corporal, actual and real possession, of the aforesaid lands of Annanhill Hunter to the said Robert Fergushill of that ilk, by delivery to him of earth and stone thereof. Done upon the ground of the said lands about the fifth hour afternoon of the 4th day of May 1616, the witnesses present being John Wilsoun in Annanhill, John Thomsoun there, Colin M'Alexander there, and William Calderwood in Knockintiber.

XLIV.—PRO KATHERINA HUNTER, NUNC DOMINA
AUCHINHERVIE.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Maij die quarto regnorumque S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quadragesimo nono et decimo tercio In mei notarii publici et testium subscriptorum presentiis personaliter accessit honorabilis vir Robertus Cunyngham de Auchinhervie sponsus Katherine Hunter relicte quondam Hugonis Garven communis scribe burgi de Irwing super solum et fundum viginti solidatarum terrarum antiqui extentus de Hileis hereditarie pertinentium ad Robertum Hunter de Hunterstoun jacentium infra dominium de Dalry balliatum de Cunyngham et infra vicecomitatum de Air et ibidem habens et tenens suis in manibus quandam cartam preceptum sasine in se continentem factam datam et concessam per prefatum Robertum Hunter de Hunterstoun dicto quondam Hugoni Garven * * *

[*The instrument here ends unfinished.*]

ABSTRACT.

FOR KATHERINE HUNTER, NOW LADY AUCHINHERVIE.

Instrument narrating that in presence of the notary and witnesses, an honourable man, Robert Cunyngham of Auchinhervie, husband of Katherine Hunter, relict of the late Hugh Garven, common clerk of the burgh of Irvine, went personally to the ground of the twenty shilling land of old extent of Hileis, belonging heritably to Robert Hunter of Hunterstoun, lying within the lordship of Dalry, bailiery of Cunyngham, and sheriffdom of Ayr; and there, having and holding in his hands a certain charter containing precept of sasine, granted by the said Robert Hunter to the said late Hugh Garven * * *

XLV.—PRO ADAMO CUNYNGHAME, MERCATORE.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Maij die vigesimo nono regnorumque S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quadragesimo nono et decimo tercio In mei notarii publici et testium subscriptorum presentiis personaliter comparuit providus vir Robertus Cunynghame senior burgensis burgi de Irwing super solum et fundum illius sue dimedietatis anterioris bothe seu officine jacentis infra dictum burgum de Irwing sub anteriore alto tenemento quondam Stephani Boyd jacentis in foro piscatori propinquissime januam aree sive clausure inter tenementum quondam Joannis Thomsoun fullonis nunc vero Hugonis Thomsoun sui filii ex boreali et tenementum quondam Adami Moultray ex australi partibus ab una et aliis Et ibidem dictus Robertus pro impletione et observatione unius eius partis cujusdam littere dispositionis per eum penes dicte dimedietatis bothe dispositionem provideo etiam viro Adamo Cunynghame mercatori burgensi dicti burgi de data nono die mensis Januarii ultime elapsi Totam et integram predictam ejus justam et equalem dimedietatem sue anterioris officine prescripte ut supra jacentis unacum omnibus jure juristitulo interesse jurisclameo proprietate et possessione tam petitorio quam possessorio que seu quas dictus Robertus suique heredes successores aut assignati in et ad eandem habuit habet seu quovismodo in futurum habere clamare vel pretendere poterit In manibus honorabilis viri Alani Dunlop unius ballivorum dicti burgi sursum reddidit extradonavit pureque et simpliciter per fustim et baculum ut moris est resignavit et renunciavit In favorem prefati Adami suorumque heredum et assignatorum quorumcunque ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum dicto Adamo suisque prescriptis ejusdem hereditarie et irredimabiliter absque aliqua reversione redemptione seu regressu in debita et competenti forma prout congruit danda et concedenda Qua resignatione sic ut premittitur facta et per dictum ballivum admissa et recepta prefatus Alanus Dunlop ballivus antedictus virtute et vigore sui officii necnon de mandato et requestu speciale dicti resignantis propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem totius et integre predictae juste et equalis dimedietatis

anterioris officine seu bothe prescripte ut supra jacentis memorato Adamo Cunyngham personaliter presenti et acceptanti per terre et lapidis fundi sibi ejusdem ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu secundum tenorem dicte littere dispositionis ac resignationis prescripte hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu ut predicitur deliberavit reservato nihilominus heredibus dicti quondam Stephani Boyd jus redemptionis prefate dimedietatis bothe prescripte a prefato Adamo suisque heredibus et assignatis per solutionem illis summe quinquaginta mercarum monete regni Scotie super quamquidem summam dicta dimedietas bothe authoribus dicti Roberti resignantis alienata et impignorata fuerat secundum tenorem reversionis in eorum infeofamentis contentis modo et forma in dicta dispositionis litera specificata Tenendam de prefato S. D. N. rege suisque successoribus more burgali In super dictus Adamus pro singularibus amore gratia et favore quos habet et gerit erga dilectam suam sponsam Margaretam Cunyngham Totam et integram predictam dimedietatem anterioris bothe prescripte una etiam cum altera dimedietate bothe sibi hereditarie etiam pertinenti In manibus dicti ballivi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum In favorem sui ipsius dicteque sue sponse predictae ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum illis eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis quibus deficientibus heredibus et assignatis dicti Adami quibuscunque hereditarie in debita et competenti forma prout congruit danda et conficienda Quibus peractis prefatus ballivus virtute et vigore sui officii et de mandato speciale dicti resignantis propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem totius et integre predictae officine seu bothe anterioris ut supra jacentis memoratis Adamo et Margarete Cunynghames conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi ejusdem illis personaliter presentibus et manibus junctis acceptantibus traditionem et deliberationem dedit tradidit pariter et cum effectu secundum tenorem dicti resignationis hereditarie deliberavit Tenendam de dicto S. D. N. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum super quibus omnibus et singulis premissis prefati Adamus et Margareta Cunyngham conjuges ac eorum quilibet pro

se metipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicte anterioris bothe horam circiter octavam mane aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Joanne Cruikis et Willielmo Cunynghames mercatoribus burgensibus de Irwein Olivero Broun et Willielmo Greiff serjandis cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR ADAM CUNYNGHAME, MERCHANT.

Instrument narrating that a prudent man, Robert Cunynghame, elder, burgess of Irvine, compeared personally upon the ground of that his half of a fore buith or shop, lying within the said burgh, under the fore high tenement of the late Stephen Boyd, lying in the fish-market, nearest to the gate of the area or close, between the tenement of the late John Thomson, waulker, now of Hugh Thomson his son, on the north, and the tenement of the late Adam Moultray on the south, and there, in implement of his disposition of date 9th January last, did resign his just and equal half of the aforesaid shop in the hands of an honourable man Alan Dunlop, one of the bailies of the said burgh, in favour of, and for new infestment thereof to be given to an also prudent man, Adam Cunynghame, merchant, burgess of the said burgh, and his heirs, heritably and irredeemably: Which resignation having been duly made, and received by the said bailie, he gave sasine accordingly, reserving to the heirs of the said Stephen Boyd the right of redemption of the aforesaid half of the said buith, from the said Adam and his heirs, by the payment of fifty merks money of the Kingdom of Scotland, for which sum the said half buith had been alienated and wadset to the authors of the said Robert the resigner, according to the tenor of the reversion contained in their infestments, in the form specified in the disposition aforementioned: Whereupon the said Adam, for the singular love, grace, and favour which he had towards his beloved spouse, Margaret Cunyngham, did purely and simply resign again the aforesaid half of the fore buith, together with the other half of the buith pertaining heritably to himself, in the hands of the said bailie, in favour of himself and his said spouse, and for this new

sasine and heritable infetment to be given to them and the longer liver of them in conjunct fee, and to the heirs gotten or to be gotten between them, which failing, to the heirs and assignees of the said Adam whatsoever, heritably; which things having been done, the said bailie with his own hands gave state and heritable sasine, and also bodily, actual, and real possession of the aforesaid fore buith, to the said Adam and his spouse in manner above specified: Done upon the ground of the said fore buith, about the eighth hour of the morning of the 29th day of May 1616, the witnesses being John Cruiks and William Cunynghame, merchants, burgesses of Irvine, Oliver Broun and William Greiff, serjeants.

XLVI.—PRO JACOBO QUHYT, MERCATORE.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Junii die undecimo regnorumque S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quadragesimo nono et decimo tercio In mei notarii publici et testium subscriptorum presentiis personaliter constitute probe persone Joannes Speir sartor burgensis burgi de Irwing et Margareta Watsoun ejus sponsa non vi aut metu ducti nec errore lapsi fraude nec dolo aliquo circumventi sed suis meris puris liberis et spontaneis voluntatibus Accesserunt supra solum et fundum illius anterioris tegulati tenementi terre et borealis dimedietatis horti et aggeris australis dimedietatis aggeris subscribe nunc illis hereditarie pertinentium et perprieus ad Hugonem Montgomerie sartorem burgensem etiam dicti burgi jacentium infra dictum burgum ex orientali latere vie regie ejusdem inter tenementa Oliveri Houstoun burgensis dicti burgi ex australi et boreali partibus ab una et aliis Et ibidem dicti conjuges unanimi consensu et assensu pro impletione et observatione unius eorum partis cujusdam litere dispositionis per eos de data presentium de dicto anteriore tegulato tenemento et boreali dimedietate horti et australi dimedietate aggeris provide viro Jacobo Quhyt mercatori burgensi etiam dicti burgi et Agneti Broun ejus sponse facte de data presentium totum et integrum predictum eorum anterieus tegulatum tenementum borealem dimedietatem horti et australem dimedietatem aggeris prescripti In manibus honorabilis viri Joannis Blair unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut

moris est resignavit renunciavit et extradonavit imperpetuum Unacum omnibus jure juristitulo interesse jurisclameo proprietate et possessione tam pëtitorio quam possessorio que seu quas habuerunt habent seu quovismodo in et ad eandem seu aliquam earundem partem habere clamare vel pretendere potuerunt in futurum In favorem prefati Jacobi Quhyt et Agnetis Broun ejus sponse ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum illis eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis quibus deficientibus heredibus et assignatis dicti Jacobi quibuscunque qua resignatione sic ut premittitur facta debite rite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii necnon de mandato speciale dictorum resignantium propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem totius et integri predicti anterioris tegulati tenementi terre et borealis dimedietatis horti et australis dimedietatis aggeris prescripti ut supra jacentis memorato Jacobo Quhyt personaliter presenti et provido viro Patricio Bryding burgensi dicti burgi tanquam actornato et eo nomine dicte Agnetis per terre et lapidis fundorum eorundem illis traditionem et deliberationem dedit tradidit et deliberavit Secundum vim formam et tenorem dicte littere dispositionis et resignationis prescripte Tenendi de dicto S. D. N. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum In super dicta Margareta Watsoun in presentia dicti ballivi extra presentiam prefati sui mariti super solum dicti tenementi comparuit et ibidem sacrosanctis tactis Dei evangeliis corporale suum prestitit juramentum se ad premissa minime coactum aut compulsam fuisse sed eandem ex sua mera libera et spontanea voluntate fecisse et eadem ratificavit et approbavit et de non revocando in futurum super quibus omnibus et singulis premissis prefatus Jacobus Quhyt pro se metipso et dictus Patricius Bryding actornatus antedictus et eo nomine dicte Agnetis a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi horti et aggeris respective prescriptorum horam circiter terciam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Andrea Tran mercatore novissimo ballivo dicti burgi Jacobo Spirling et Jacobo Bankheid burgensibus dicti burgi cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR JAMES QUHYT, MERCHANT.

Instrument narrating that there compeared personally, in presence of the notary and witnesses, worthy persons, John Speir, tailor, burgess of Irvine, and Margaret Watson, his spouse, who, of their own free wills, went upon the ground of that fore tiled tenement of land, and north half of the yard and tailling rig, and south half of the tailling rig, now belonging heritably to them, and formerly to Hugh Montgomerie, tailor, burgess of the said burgh, lying within the same, on the east side of the High Street thereof, between the tenements of Oliver Houstoun, burgess, on the south and north; and there the said spouses, in implement of their disposition of same date, did surrender, and purely, and by staff and baton, resign their said fore tiled tenement, north half of the yard, and south half of tailed rig, in the hands of an honourable man, John Blair, one of the bailies of the said burgh, in favour of a prudent man, James Quhyt, merchant, burgess of Irvine, and Agnes Brown his spouse, for new sasine and heritable infestment thereof, to be given to them and the longer liver of them in conjunct fee, and to the heirs lawfully gotten or to be gotten between them, which failing, to the heirs and assignees whatsoever of the said James: Which resignation having been duly made, and by the said bailie admitted and received, he gave sasine accordingly to the said James Quhyt, personally present, and to a prudent man, Patrick Bryding, burgess, as attorney for the said Agnes Brown: After which the said Margaret Watsoun, in presence of the bailie, and outwith the presence of her said husband, compeared on the ground of the said tenement, and there touching the sacred evangels of God, gave her bodily oath that she was not forced to the premises, but did the same of her own free will, approved and ratified, and would not in time coming revoke the same: Done upon the ground of the said tenement, yard, and rig respectively, about the third hour after noon of the 11th day of June 1616: the witnesses being, Andrew Tran, merchant, latest bailie of the said burgh, James Spirling and James Bankhead, burgesses thereof.

XLVII.—PRO ANDREA DUNLOP, FABRO FERRARIO, EJUSQUE
SPONSA.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Junii die decimo tercio regnorumque S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quadragesimo octavo et decimo quarto In mei notarii publici et testium subscriptorum presentis personaliter comparuit providus vir Robertus Craig mercator burgensis burgi de Irwing super solum et fundum totorum et integrorum illorum trium roborum terre sibi hereditarie pertinentium jacentium infra territorium dicti burgi de Irwing inter terras Davidis Steuart ex australi et terras quondam Joannis Mure burgensis dicti burgi ex boreali partibus Et ibidem dictus Robertus non vi aut metu ductus nec errore lapsus fraude nec dolo aliquo circumventus sed sua mera pura libera et spontanea voluntate et pro impletione et observatione unius ejus partis cujusdam litere dispositionis per eum probis personis Andrew Dunlop fabro ferrario burgensi dicti burgi et Agneti Steill ejus conjugii penes venditionem hereditariam et irredimabilem dispositionem illis totius et integre equalis dimedietatis totorum et integrorum predictorum trium roborum terre cum suis pertinentiis ut supra jacentium de data presentium confectam totam et integram predictam equalem dimedietatem totorum et integrorum predictorum trium roborum terre cum singulis suis pertinentiis ut supra jacentium In manibus honorabilis viri Allani Dunlop unius ballivorum dicti burgi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum Unacum omnibus jure juristitulo interesse jurisclameo proprietate et possessione tam petitorio quam possessorio que seu quas dictus Robertus suique heredes aut assignati in et ad eandem seu aliquam earundem partem habuit habet seu quovismodo in futurum habere clamare vel pretendere potuerat omnino quiete clamavit imperpetuum In favorem prefati Andree Dunlop et Agnetis Steill conjugum ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum illis eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis quibus deficientibus heredibus et assignatis dicti Andree quibuscunque hereditarie et irredimabiliter absque aliqua reversione redemptione seu

regressu inde danda et deliberanda Qua resignatione sic ut premittitur facta debite rite et legitime per dictum ballivum admissa et recepta prefatus Allanus Dunlop ballivus antedictus virtute et vigore sui officii necnon de mandato et requestu speciale dicti resignantis Propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem totius et integre predictae equalis dimedietatis totorum et integrorum predictorum trium rodorum terre cum suis pertinentiis ut supra jacentium memoratis Andree Dunlop et Agneti Steill conjugibus eorumque alter diutius viventi in conjuncta infeodatione per terre et lapidis fundi eorundem illis personaliter presentibus et acceptantibus ut moris est traditionem et deliberationem dedit tradidit hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu ut predicatur deliberavit Secundum vim formam et tenorem dicte dispositionis litere ac resignationis prescripte Tenendam de dicto S. D. N. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum super quibus omnibus et singulis premissis prefati Andreas Dunlop et Agneta Steill conjuges et eorum quilibet pro se metipsis a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura acta erant hec super solum et fundum dictarum terrarum horam circiter nonam antemeridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Joanne Blair altero ballivorum dicti burgi Alexandro Montgomerie mercatore burgensi dicti burgi Willielmo Greiff et Olivero Broun officiariis ejusdem cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR ANDREW DUNLOP, SMITH, AND HIS SPOUSE.

Instrument narrating that a prudent man, Robert Craig, merchant, burgess of Irvine, compeared personally upon the ground of those three roods of land belonging heritably to himself, lying within the territory of the said burgh, between the lands of David Stewart on the south, and the lands of the late John Mure, burgess, on the north: And there the said Robert, in implement of a disposition granted by him to the worthy persons Andrew Dunlop, smith, burgess of said burgh, and Agnes Steill

his spouse, did resign, purely and simply, by staff and baton, the just and equal half of the aforesaid three roods of land, in the hands of an honourable man, Alan Dunlop, one of the bailies of the said burgh, in favour of and for new sasine thereof to be given to the said Andrew Dunlop and Agnes Steill, and the survivor of them in conjunct fee, and the heirs begotten or to be begotten between them, etc., heritably and irredeemably: Which resignation having been duly made, and by the said bailie admitted and received, he did, with his own hands, give state and heritable sasine, and bodily, actual, and real possession of the said half of the three roods of land aforesaid to the said Andrew Dunlop and Agnes Steill, spouses, personally present and receiving the same: Done upon the ground of the said lands, about the ninth hour before noon of the thirteenth day of June 1616: Witnesses, John Blair, another of the bailies of the said burgh, Alexander Montgomerie, merchant, burgess thereof, William Greiff and Oliver Brown, officers of the same.

XLVIII.—PRO ROBERTO DUNLOP, FABRO FERRARIO, ET SIBBELLA
GALT EJUS SPONSA.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Junii die decimo tercio regnorumque S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quadragesimo nono et decimo tercio In mei notarii publici et testium subscriptorum presentiis personaliter comparuit providus vir Robertus Craig mercator burgensis burgi de Irwing super solum et fundum totorum et integrorum illorum trium roodorum terre sibi hereditarie pertinentium jacentium infra territorium dicti burgi inter terras Davidis Steuart ex australi et terras quondam Joannis Mure burgensis dicti burgi ex boreali partibus ab una et aliis Et ibidem dictus Robertus non vi aut metu ductus nec errore lapsus fraude nec dolo aliquo circumventus sed sua mera pura libera et spontanea voluntate et pro impletione et observatione unius ejus partis cujusdam litere dispositionis per eum probis personis Roberto Dunlop fabro ferrario burgensis dicti burgi de Irwing et Sibbelle Galt ejus conjugii penes venditionem hereditariam et irredimabilem dispositionem illis totius et integre ejus equalis dimedietatis totorum et integrorum predictorum trium roodorum terre cum suis pertinentiis ut supra jacentium

de data presentium confectam totam et integram predictam equalem dime-
dietatem totorum et integrorum predictorum trium rodorum terre cum
singulis suis pertinentiis ut supra jacentium In manibus honorabilis viri
Allani Dunlop unius ballivorum dicti burgi sursum reddidit pureque et
simpliciter per fustim et baculum ut moris est resignavit renunciavit et
extradonavit imperpetuum una cum omnibus jure juristitulo interesse juris-
clameo proprietate et possessione tam petitorio quam possessorio que seu
quas dictus Robertus sui que heredes aut assignati in et ad eandem seu
aliquam earundem partem habuit habet seu quovismodo in futurum habere
clamare vel pretendere potuerat omnino quiete clamavit imperpetuum In
favorem prefati Roberti Dunlop et Sibbelle Galt conjugum ac pro hac nova
sasina et infeodatione hereditaria per dictum ballivum illis eorumque alteri
diutius viventi in conjuncta infeodatione heredibusque inter eos legitime
procreatis seu procreandis Quibus deficientibus heredibus et assignatis dicti
Roberti quibuscunque hereditarie et irredimabiliter absque aliqua reversione
redemptione seu regressu inde desuper danda et conficienda : Qua resigna-
tione sic ut premittitur facta debite rite et legitime per dictum ballivum
admissa et recepta prefatus Allanus Dunlop ballivus antedictus virtute et
vigore sui officii necnon de mandato et requestu speciale dicti resignantis
propriis suis manibus statum et sasinam hereditariam pariter et possess-
ionem corporalem actualem et realem totius et integre predictae equalis
dime dietatis totorum et integrorum predictorum trium rodorum terre cum
singulis suis pertinentiis ut supra jacentium memoratis Roberto Dunlop et
Sibbelle Galt conjugibus eorumque alteri diutius viventi in conjuncta
infeodatione per terre et lapidis fundi eorundem illis personaliter presentibus
et manibus junctis acceptantibus ut moris est traditionem et deliberationem
dedit tradidit hereditarie et irredimabiliter sine aliqua reversione redemp-
tione aut regressu ut predictur deliberavit secundum vim formam et
tenorem dicte dispositionis litere ac resignationis prescripte Tenende de
dicto S. D. N. rege suisque successoribus more burgali Reddendo inde
annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas
tantum Super quibus omnibus et singulis premissis prefati Robertus Dunlop
et Sibbella Galt conjuges ac eorum quilibet pro se metipsis a me notario
publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu
plura publica instrumenta unum sive plura Acta erant hec super solum et
fundum dictarum terrarum horam circiter nonam antemeridiem aut eo circa
sub anno die mense regnisque regis quibus supra presentibus ibidem Joanne

Blair altero ballivorum dicti burgi Alexander Montgomerie mercatore burgensi dicti burgi Willielmo Greiff et Olivero Broun officiariis cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR ROBERT DUNLOP, BLACKSMITH, AND SIBBELLA GALT
HIS SPOUSE.

Instrument narrating that a prudent man, Robert Craig, merchant, burgess of Irvine, compeared personally upon the ground of those three roods of land belonging to him heritably, lying within the territory of the said burgh, between the lands of David Stewart on the south and the lands of the late John Mure on the north; and there the said Robert, of his own free will, and in implement of his part of a letter of disposition made by him to Robert Dunlop, blacksmith, burgess of Irvine, and Sibbella Galt, his spouse, anent the sale of the just and equal half of the said three roods, did surrender and purely and simply resign the said half in the hands of an honourable man, Allan Dunlop, one of the bailies of the said burgh, in favour of and for this new seizin and heritable infeftment of the same, to be given to the said Robert Dunlop and Sibbella Galt, spouses, and the survivor of them, in conjunct fee, and the heirs between them lawfully procreated, or to be procreated, which failing, to the heirs and assignees whatsoever of the said Robert, heritably and irredeemably, without any reversion, redemption, or regress: Which resignation having been duly made, and by the said bailie admitted and received, the latter gave state and heritable seizin, and also bodily, actual, and real possession thereof, to the said Robert and Sibbella in the usual manner: To be holden of the king and his successors in manner of burgh; rendering therefor yearly the burghal fermes and other burdens and duties used and wont to be paid: Done upon the ground of the said roods about the ninth hour before noon of the 13th day of June 1616, before witnesses, namely, John Blair, another of the bailies of the said burgh, Alexander Montgomerie, merchant, burgess of Irvine, William Greiff and Oliver Broun, officers.

XLIX.—PRO ROBERTO DUNLOP, ET SIBBELLA GALT EJUS
SPONSA, Etc.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Junii die decimo tercio regnorumque S. D. N. Jacobi sexti Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quadragesimo nono et decimo tercio In mei notarii publici et testium subscriptorum presentiis personaliter comparuit providus vir Robertus Dunlop faber ferrarius burgensis burgi de Irwing super solum et fundum illius domus sive ustrine vulgo lie kill sibi hereditarie spectantis jacentis infra dictum burgum in via nuncupata lie Smiddie Bar inter lie calsay ejusdem ex ——— et hortum quondam Joannis M'Neill nunc vero Andree Dunlop sui patris super quem hortum dicta ustrina conditur et edificatur ex ——— partibus ab altera et ibidem dictus Robertus non vi aut metu ductus nec errore lapsus fraude nec dolo aliquo circumventus pro singularibus amore gratia et favore quos erga dilectam suam sponsam Sibellam Galt habet et gerit totam et integram predictam ustrinam cum suis pertinentiis ut supra jacentem unacum privilegio et libertate plena onerandi et exonerandi vulgo lie lossing and laidnyng dicte ustrine tam ad ostium anterius quam posterius ejusdem In manibus honorabilis viri Allani Dunlop unius ballivorum dicti burgi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum unacum omni jure juristitulo proprietate et possessione sibi in et ad eandem competentibus In favorem sui ipsius prefati Roberti et Sibelle Galt ejus sponse ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum illis eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis quibus deficientibus legitimis et propinquioribus heredibus et assignatis dicti Roberti quibuscunque danda et deliberanda Qua resignatione sic ut premittitur facta debite rite et legitime per dictum ballivum admissa et recepta prefatus Allanus Dunlop ballivus antedictus virtute et vigore sui officii necnon de mandato et requestu speciale dicti Roberti resignantis propriis suis manibus statum et sasnam hereditariam pariter et possessionem corporalem actualem et realem totius et integre predictae ustrine ut supra jacentis unacum privilegio

et libertate plena onerandi et exonerandi ejusdem tam ad ostium posterius quam antierius memoratis Roberto Dunlop et Sibbelle Galt ejus sponse eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi ejusdem illis personaliter presentibus et pro se suisque prescriptis hereditarie acceptantibus ut moris traditionem et deliberationem dedit tradidit et deliberavit secundum formam et tenorem dicte resignationis prescripte Tenende de dicto S. D. N. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum super quibus omnibus et singulis premissis prefati Robertus Dunlop et Sibbella Galt conjuges ac eorum quilibet pro se metipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura acta erant hoc super solum et fundum dicte ustrine horam circiter duodecimam in meridie aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Joanne Blair altero ballivorum dicti burgi Alexandro Montgomerie et Jacobo Quhyt mercatoribus burgensibus dicti burgi et Willielmo Greiff officario cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

R. BROWN.

ABSTRACT.

FOR ROBERT DUNLOP, AND SIBBELLA GALT HIS SPOUSE.

Instrument narrating that a prudent man, Robert Dunlop, blacksmith, burgess of Irvine, personally compeared upon the ground of that house or kiln belonging to him heritably, lying within the said burgh, in the Smiddie Bar, between the causeway thereof on the ——— and the yard of the late John M'Neill, but now of Andrew Dunlop his father, on which yard the said kiln is built, on the ———, and there the said Robert, for the singular love, grace, and favour which he had and bore towards his beloved spouse Sibella Galt, did freely resign the aforesaid kiln, together with the privilege and full freedom of loosing and lading of the said kiln as well at the front door as at the back door thereof, in the hands of Allan Dunlop, one of the bailies of Irvine, in favour of and for new infeftment to be given to the resigner, the said Robert Dunlop, and Sibella Galt his spouse, in conjunct fee, and to their heirs: Which resignation having been duly made and received, the said bailie with

his own hands gave sasine of the kiln aforesaid to the said Robert and Sibella, by delivery of the usual symbols : Done upon the ground of the said kiln, about noon on the 13th day of June 1616 : Witnesses, John Blair, bailie of Irvine, Alexander Montgomerie and James Quhyt, merchants, burgesses of the said burgh, William Greiff, officer, etc.

L.—PRO WILLIELMO CUNYNGHAME, MERCATORE, ET JONETA
GOTTRAY EJUS SPONSA.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Junii die vigesimo octavo regnorumque S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quadragesimo nono et decimo quarto In mei notarii publici et testium subscriptorum presentiis personaliter constitute probe persone Robertus Cunynghame senior mercator burgensis burgi de Irwing et Margareta Cunynghame ejus sponsa comparuerunt super sola et funda illorum duorum horreorum lie tua barnes et hortorum eorundem ac duorum aggerorum terre lie tua tailing rigs eisdem adjacentium per prius ad quondam Willielmum Robisoun burgensem dicti burgi hereditarie pertinentium ac contigue adjacentium jacentium infra dictum burgum de Irwing inter tenementum et terras heredum quondam Niniani Barclay ex australi et tenementum et terras Willielmi Holmes burgensis dicti burgi ex boreali partibus ab una et aliis Et ibidem dictus Robertus cum expressis avisamento consensu et assensu dicte Margarete sue sponsa et dicti conjuges unanimi consensu et assensu non vi aut metu ducti nec errore lapsi fraude nec dolo aliquo circumventi sed suis meris veris puris liberis et spontaneis voluntatibus et pro observatione et impletione unius eorum partis cujusdam litere dispositionis per eos de eisdem de data presentium provido viro Willielmo Cunyngham mercatori burgensi dicti burgi et Margarete Gottray sue sponse hereditarie et irredimabiliter confecte tota et integra predicta eorum duo horrea et eorum hortos lie tua barnes and barne zeards et duo aggeres lie tua tailing rigs eisdem adjacentia contigue ut predicatur jacentia bondata et limitata ut supra In manibus honorabilis viri Joannis Blair unius ballivorum dicti burgi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum Una cum omnibus jure juristitulo interesse jurisclameo pro-

prietate et possessione tam petitorio quam possessorio que seu quas illi eorumve heredes successores aut assignati in et ad easdem seu aliquam earundem partem cum pertinentiis habuerunt habent seu quovismodo habere clamare vel pretendere potuerunt in futurum In favores prefati Willielmi Cunynghame et Margarete Gottray conjugum ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum illis eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis quibus deficientibus heredibus et assignatis dicti Willielmi quibuscunque hereditarie et irredimabiliter absque aliqua reversione redemptione aut regressu eorundem inde danda et in debita et competenti forma prout congruit danda et conficienda Qua resignatione sic ut premittitur facta debite rite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii necnon de mandatis et requestu specialibus dictorum resignantium propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualement et realem totorum et integrorum predictorum duorum horreorum et hortorum ejusdem ac duorum aggerorum contigue adjacentium et limitatorum et bondatorum ut prefertur memoratis Willielmo Cunynghame et Margarete Gothray ejus sponse hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu eorumque alteri dictorum conjugum in conjuncta infeodatione per terre et lapidis fundorum eorundem respective et successive ut moris est illis personaliter presentibus et pro se heredibus suis et assignatis hereditarie acceptantibus ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu secundum tenorem dicte dispositionis litere ac resignationis prescripte deliberavit et hereditarie investivit Tenenda de dicto S. D. N. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum In super dicta Margareta Cunynghame in presentia dicti ballivi super sola et funda dictorum duorum tenementorum respective prescriptorum personaliter extra presentiam prefati Roberti sui mariti comparuit et ibidem omnia et singula sic ut premittitur facta prebuit et dedit suum plenum consensum et assensum et quod ipsi ad premissa minime coacta aut compulsa fuit per vim aut metum dicti sui mariti et quod nunquam revocaret aut contradiceret easdem in futurum per se nec per quemcunque alium suo nomine in judicio nec extra judicium et desuper tactis sacrosanctis Dei evangeliiis juramentum suum prestitit corporalem Super quibus omnibus et singulis premissis prefati conjuges ac eorum quilibet

pro se metipsis a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda predictorum horreorum hortorum et aggerorum particulariter prescriptorum horam circiter sextam mane aut eo circa sub anno die mense regnis regis quibus supra presentibus ibidem Joanne Hilhous mercatore Davide Tueidy juniore ephippiario Roberto Cunyngham filio seniore dicti Roberti et Olivero Broun officario cum diversis aliis testibus ad premissa vocatis pariterque rogatis. R. BROUN.

ABSTRACT.

FOR WILLIAM CUNYNGHAME, MERCHANT, AND MARGARET
GOTTRAY HIS SPOUSE.

Instrument narrating that worthy persons, Robert Cunynghame, elder, merchant, burgess of Irvine, and Margaret Cunynghame his spouse, personally compeared upon the ground of two barns and the yards thereof, and of two tailling rigs adjacent thereto, formerly belonging heritably to the late William Robinsoun, burgess of said burgh, and lying contiguously within the same, between the tenement and lands of the heirs of the late Ninian Barclay on the south, and the tenement and lands of William Holmes, burgess of the said burgh, on the north; and there the said Robert, with express advice and consent of the said Margaret his spouse, did freely resign the said two barns and barn yards, and the two tailling rigs aforesaid, in the hands of John Blair, one of the bailies of the said burgh, in favour of, and for new heritable sasine of the same to be given to a prudent man, William Cunynghame, merchant, burgess of Irvine, and Margaret Gottray his spouse, in conjunct fee, and the heirs procreated or to be procreated between them, which failing, to the heirs and assignees of the said William, heritably and irredeemably, without reversion or redemption: Which resignation having been so made and duly received, the bailie gave sasine accordingly to the said William and his spouse: Moreover, the said Margaret Cunynghame, in presence of the bailie, and outwith the presence of the said Robert, her husband, declared that she was not compelled to the said resignation, but freely consented thereto, and gave her bodily oath, touching the holy evangels of God, that she would never revoke or gainsay the premises in judgment or outwith the same:

Done on the ground of the said barns and yards, about the sixth hour of the morning of the 28th day of June 1616: Witnesses, John Hilhous, merchant, David Tueidy, younger, saddler, Robert Cunynghame, elder son of the said Robert, Oliver Broun, officer, etc.

LI.—PRO JACOBO SCOTT, ET AGNETA BLAIR EJUS SPONSA.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Junii die penultimo regnorumque S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quadragesimo nono et decimo quarto In mei notarii publici et testium subscriptorum presentiis personaliter constitutus providus vir Robertus Cunynghame senior mercator burgensis burgi de Irwing comparuit super sola et funda illorum duorum tenementorum terre contigue jacentium infra dictum burgum de Irwing inter tenementum terre nunc vero Joannis Blair ballivi ex occidentali et viam regiam directe ducentem ad pontem ex orientali partibus ab una et aliis (quequidem duo tenementa terre ad Jacobum Scott nunc custumarium dicti burgi pertinerunt et per eum dicto Roberto perprius alienata et disposita fuerant) Et ibidem dictus Robertus non vi aut metu ductus nec errore lapsus fraude nec dolo aliquo circumventus sed sua mera libera et spontanea voluntate pro impletione et observatione unius ejus partis cujusdam litere dispositionis per eum de dictis ejus duobus tenementis terre ante et retro subtus et supra cum hortis et singulis suis pertinentiis dicto Jacobo Scott et Agneti Blair ejus sponse de data presentium confecte tota et integra predicta duo ejus tenementa ante et retro subtus et supra cum hortis et singulis suis pertinentiis ut supra jacentia necnon totum et integrum illum annum redditum octo librarum usualis monete huius regni Scotie in quo dictus Robertus debite et legitime infeodatus existit tanquam heres quondam Jonete Cunynghame illius filie fratris annuatim levandum de dictis duobus tenementis terre ad duos anni terminos consuetos festa videlicet Penthecostes et Sancti Martini in hyeme per equales portiones unacum omnibus jure juristitulo interesse jurisclameo proprietate et possessione tam petitorio quam possessorio que seu quas dictus Robertus suiue heredes successores aut assignati in et ad predicta duo ejus tenementa sive aliquam eorundem partem vel ad annum redditum prescriptum

annuatim de eisdem exigendum et levandum habere vel clamare poterit In manibus honorabilis viri Joannis Blair unius ballivum dicti burgi sursum reddidit pureque et simpliciter per fustim et baculum et unum denarium resignavit renunciavit et extradonavit imperpetuum In favores prefatorum Jacobi Scott et Agnetis Blair conjugum eorumque heredum et assignatorum ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum illis eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis quibus (quod absit) deficientibus legitimis et propinquioribus heredibus et assignatis dicti Jacobi quibuscunque hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu in debita et competenti forma prout congruit danda et eorundem conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii necnon de mandato et requestu speciale dicti resignantis propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem totorum et integrorum predictorum duorum tenementorum terre ante et retro subtus et supra cum hortis et singulis suis pertinentiis ut supra jacentium necnon totius et integri predicti annui redditus octo librarum monete predicte annuatim de eisdem levandi percipiendi ad terminos prescriptos memoratis Jacobo Scott et Agneti Blair conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundorum eorundem respective ac unius denarii ut moris est illis personaliter presentibus et manibus junctis pro se heredibus eorum et assignatis acceptantibus traditionem et deliberationem debet tradidit et hereditarie sine reversione ut premittitur deliberavit secundum formam et tenorem dicte resignationis littere dispositionis predicte Tenenda de dicta S. D. N. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefati conjuges ac eorum quilibet pro se metipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda dictorum tenementorum respective horam circiter sextam post meridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Hugone Scott urbis prefecto dicti burgi Jacobo Quhyt et Willielmo Cunyngham mercatoribus burgensibus de Irwing.

R. BROUN.

ABSTRACT.

FOR JAMES SCOTT, AND AGNES BLAIR HIS SPOUSE.

Instrument narrating that a prudent man, Robert Cunynghame, elder, merchant, burghess of Irvine, compeared personally on the ground of those two tenements of land lying contiguously within the said burgh, between the tenement now of John Blair, bailie, on the (west), and the highway leading directly to the bridge, on the east; (which two tenements of land belonged to James Scott, now custumar of the said burgh, and had been formerly alienated and disposed by him to the said Robert); and there the said Robert did of his own free will resign the said two tenements of land, with yards, etc.; also an annualrent of eight pounds usual money of this Kingdom of Scotland, in which the said Robert was infeft as heir of the deceased Jonet Cunynghame, his brother's daughter, to be uplifted yearly furth of the said two tenements, in the hands of an honourable man, John Blair, one of the bailies of Irvine, in favour of and for new heritable infeftment to be given to the said James Scott and Agnes Blair his spouse, in conjunct fee and liferent, and to the heirs procreated or to be procreated between them, which failing (which may God avert), to the heirs whatsoever of the said James, heritably and irredeemably; which resignation having been so made, and by the said bailie admitted and received, the said John Blair gave sasine by delivery of earth and stone of the said two tenements respectively, and of one penny, to the said James and Agnes, who were personally present, and received the same with their hands joined together, for themselves and their heirs: Done upon the grounds of the said tenements respectively, about the sixth hour after noon of the 29th day of June 1616, the witnesses being Hugh Scott, provost of the said burgh, James Quhyt and William Cunynghame, burghesses thereof.

LII.—PRO STEPHANO HODGE, FABRO LIGNARIO, ET SPONSA.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Julii die secundo regnorumque S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quadragesimo nono et decimo ——— In mei notarii

publici et testium subscriptorum presentiis personaliter constitute probe persone Hugo Montgomerie sartor burgensis burgi de Irwing et Joneta Auld ejus sponsa comparuerunt super solum et fundum illius eorum anterioris tegulati tenementi terre borealem dimedietatem horti et australem dimedietatem aggeris eidem adjacentium jacentis infra dictum burgum de Irwin ex orientale latere vie regie ejusdem inter tenementa Oliveri Houstoun burgensis dicti burgi ex australi et boreali partibus Et ibidem dicti conjuges unanimi consensu et assensu pro impletione et observatione unius eorum partis cujusdam dispositionis litere per eos de dicto eorum anteriore tegulato tenemento boreale dimedietate horti et australe dimedietate aggeris provido viro Stephano Hodg fabro lignario burgensi burgi de Irwin et Elizabethe Montgomerie ejus sponse de data presentium confecte totum et integrum predictum eorum antierius tegulatum tenementum terre borealem dimedietatem horti et australem dimedietatem aggeris prescriptorum unacum omnibus jure juristitulo interesse jurisclameo proprietate et possessione tam petitorio quam possessorio illis eorumve heredibus successoribus aut assignatis competentibus In manibus honorabilis viri Joannis Blair unius ballivorum dicti burgi sursum reddiderunt pureque et simpliciter per fustim et baculum ut moris est resignarunt renunciarunt et extradonarunt imperpetuum In favores prefati Stephani Hodge sueque sponse predictae ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum illis eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis Quibus deficientibus heredibus et assignatis dicti Stephani quibuscunque hereditarie et irredimabiliter absque aliqua reversione redemptione seu regressu danda et in debita et competenti forma prout congruit conficienda Qua resignatione sic ut premittitur facta debite rite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii necnon de mandatis et requestibus specialibus dictorum resignantium propriis suis manibus statum et sasina hereditariam pariter et possessionem corporalem actualem et realem totius et integri predicti anterioris tegulati tenementi terre subtus et supra borealis dimedietatis horti et australis dimedietatis aggeris prescriptorum jacentis et bondati ut supra memorato Stephano Hodg et Elizabethe Montgomerie conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundorum eorundem respective illis personaliter presentibus et manibus junctis pro se suisque heredibus successoribus et assignatis hereditarie acceptantibus dedit tradidit pariter et

cum effectu hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu ut predicatur deliberavit secundum formam et tenorem dicte dispositionis litere et resignationis prescripte Tenendi de dicto S. D. N. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum In super in presentia dicti ballivi personaliter comparuit prefata Joneta Auld et ibidem super sola et fundi dicti tenementi anterioris horti et aggeris prescriptorum extra presentiam prefati Hugonis sui mariti omnia et singula premissa sic ut premittitur facta prebuit et dedit suum plenum consensum et assensum et quod ipsa ad premissa minime coacta aut compulsa fuit per vim aut metum dicti sui mariti et quod nunquam revocaret aut contradiceret easdem in futurum per se nec per quemcunque alium suo nomine in iudicio nec extra iudicium et desuper tactis sacrosanctis Dei evangeliis suum juramentum prestitit corporale Super quibus omnibus et singulis premissis prefati Stephanus et Elizabetha conjuges ac eorum quilibet pro se metipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda predicti tenementi anterioris horti et aggeris respective prescriptorum horam circiter nonam antemeridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Thoma Nevein de Monkriding Allano Dunlop altero ballivorum dicti burgi Joanne Hilhouse mercatore et Jacobo Stirling burgensibus dicti burgi et Willielmo Greiff officario ejusdem cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR STEPHEN HODGE, WRIGHT, AND HIS SPOUSE.

Instrument narrating that there compeared worthy persons, Hugh Montgomerie, tailor, burgess of Irvine, and Jonet Auld his spouse, upon the ground of their fore tiled tenement of land, north half of the yard, and south half of the rig adjacent thereto, lying within the said burgh, on the east side of the High Street thereof, between the tenements of Oliver Houstoun, burgess, on the south and north: and there the said spouses, of one consent and for implement of their part of a disposition, did resign their said fore tiled tenement, north half of yard, and south half of

rig, in the hands of an honourable man, John Blair, bailie of Irvine, in favour of Stephan Hodge, wright, burgess of said burgh, and Elizabeth Montgomerie his spouse, for new infestment of the same, to be given to them in conjunct fee and liferent, and to the heirs of their marriage, which failing, to the heirs whatsoever of the said Stephan, heritably and irredeemably: Which resignation having been duly made and received, the said bailie gave sasine accordingly to the said Stephan and Elizabeth, who received the symbols with hands joined together: Whereupon the aforesaid Jonet Auld compeared personally in presence of the said bailie, and outwith the presence of the said Hugh, her husband, upon the grounds of the said tenement, yard, and rig, and gave her full consent to all and sundry the premises, declaring that she was no way forced thereto, and gave her bodily oath, by touching the sacred evangels of God, that she would never in future by herself, or by any one in her name, revoke the same, in judgment or outwith the same: Done about the ninth hour before noon of the second day of July 1616, the witnesses being Thomas Nevein of Monkriding, Allan Dunlop, another of the bailies of the said burgh, John Hilhouse, merchant, and James Stirling, burgesses, and William Greiff, officer of the burgh.

LIII.—PRO MAULIDA BLAIR, SPONSA FUTURA ROBERTI HENDRIE.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Julii die vigesimo tercio regnorumque S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quadragesimo nono et decimo quarto In mei notarii publici et testium subscriptorum presentiis personaliter accessit providus vir Robertus Hendrie senior fullo burgensis burgi de Irwing super solum et fundum illius sui tenementi terre subscripti jacentis ad caput dicti burgi ex occidentale latere vie regie ejusdem inter tenementum Georgii Fladger ex boreali et Alexander Cunyngham ex australi Et ibidem dictus Robertus non vi aut metu ductus nec errore lapsus fraude nec dolo aliquo circumventus sed sua mera pura libera et spontanea voluntate pro singularibus amore gratia et favore quos habet et gerit erga Maulidam Blair ejus futuram sponsam ac relictam quondam Joannis Lin in Holmyln necnon in contemplatione matrimonii inter eos Deo favente solempnizandi propriis

suis manibus statum et sasinam vitalis redditus pariter et possessionem corporalem actuaalem et realem totius et integri predicti tenementi terre cum horto aggere et suis pertinentiis ut supra jacentis memorate Maulide Blair ejus future sponse pro toto tempore vite sue per terre et lapidis fundi earundem illi ut moris est personaliter presenti et acceptanti traditionem et deliberationem dedit tradidit et deliberavit Tenendi de prefato Roberto heredibus successoribus et assignatis suis in libera alba firma pro solutione unius denarii in die festi Penthecostes annuatim super solum dicti tenementi nomine albe firme si petatur tantum In super dictus Robertus in presentia honorabilis viri Joannis Blair unius ballivorum burgi de Irwing totum et integrum predictum tenementum cum horto aggere et suis pertinentiis memorate Maulide Blair sue future sponse ab omnibus wardis releviis non introitibus dominarum terciis conjunctis infeodationibus vitalibus et annuis redditibus prioribus alienationibus et dispositionibus privatis et publicis sasinis inhibitionibus interdictionibus evictionibus appreciationibus ac ab omnibus aliis periculis damnis et inconvenienciis quibuscunque quibus dicta Maulida ullo modo durante sua vita in pacifici frutione et gavisione ejusdem impediri poterit contra omnes mortales warantizare acquietare et imperpetuum defendere sese suosque heredes aut assignatos firmiter astringit ex obligavit Cuiquidem warantizationis clausule prefatus ballivus ad specialem requestum dicti obligantis suum decretum judiciale et auctoritatem interposuit Ordinando eandem vim et effectum decreti sui judicialis omnibus temporibus futuris habere et quod executoriales desuper si necesse fuerit sequantur prout de jure congruit Super quibus omnibus et singulis premissis prefati Maulida a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi horam circiter undecimam antemeridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Joanne Neilsoun notario Roberto Hendrie juniore ejus filio Georgio Parker in Irwing et Willielmo Greiff officario cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR MAUD BLAIR, FUTURE SPOUSE OF ROBERT HENDRIE.

Instrument narrating that a prudent man, Robert Hendrie, elder, fuller, burgess of Irvine, personally went to the ground of that tenement of his, lying at the head of the said burgh, on the west side of the High Street thereof, between the tenement of George Fladger on the north and of Alexander Cunyngham on the south; and there the said Robert, of his own free will, and for the love and favour which he had and bare towards Maud Blair his future spouse, relict of the deceased John Lin in Holmyln, and in contemplation of marriage, by the favour of God to be solemnized between them, did with his own hands gave state and seizin of liferent, of the aforesaid tenement, with yard and tail rig of the same, by delivery of earth and stone to the said Maud Blair, who was personally present and accepting thereof: to be holden of the said Robert, his heirs and assignees, in free blench ferme, for the payment of one penny yearly at Whitsunday, if asked only: Further, the said Robert, in presence of an honourable man, John Blair, one of the bailies of Irvine, did become bound to warrant and defend the said tenement, etc., to the said Maud Blair to be free from all wards, reliefs, non-entries, ladies' terces, and other burdens, during her lifetime: to which obligation and clause of warrandice the bailie interposed his authority, ordaining the same to have the force and effect of his judicial decreet in all time coming, upon which the said Maud took instruments: Done upon the ground of the said tenement about the eleventh hour before noon of the 23rd day of July 1616, before witnesses, namely, John Neilson, notary, Robert Hendrie, younger, son of said Robert, George Parker in Irvine, and William Greiff, officer.

LIV.—PRO ELIZABETHA SMEYTOUN.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Augusti die tercio regnorumque S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quarto in mei notarii publici et testium subscriptorum presentiis personaliter comparuit providus vir Thomas Boyd quondam prefectus burghi de Irwing

nunc vero incola infra regnum Hibernie super solum et fundum ejus posterioris tenementi terre jacentis infra burgum de Irwing in via ecclesiastica ejusdem novissime per Joannem Barclay sartorem occupati necnon super solum et fundum ejus anterioris tenementi terre jacentis similiter in dicta via ecclesiastica occupati et possessi per Hugonem Lyne mercatorem jacentis inter terras ———— ex ———— et terras ———— ex ———— Et ibidem dictus Thomas intuitu matrimonii hactenus contracti inter eum et Elizabetham Smeytoun relictam quondam Magistri Alexandri Campbell ministri de Stevinstoun ac Deo favente breviter inter eos solempnizaturi ac pro singularibus amore gratia et favore quos habet et gerit erga prefatum Elizabetham ejus futuram sponsam tota et integra predicta ejus duo tenementa terre cum singulis suis pertinentiis ut supra jacentia in manibus honorabilis viri Joannis Blair unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit unacum omnibus jure juristitulo etc. In favorem prefate Elizabethæ sue affuture sponse ac pro hac nova sasina et infeodatione earundem illi in vitali reddito pro omnibus sue vite diebus per dictum ballivum danda et concedenda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Joannis Blair ballivus antedictus virtute et vigore sui officii necnon de mandato et requestu speciale dicti resignantis propriis suis manibus statum et sasinam vitalis redditus pariter et possessionem corporalem actualem et realem totorum et integrorum prefatorum duorum tenementorum terre cum singulis suis pertinentiis ut supra jacentium memorate Elizabethæ in vitali reddito pro omnibus ejus vite diebus per terre et lapidis fundorum eorundem illi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit et deliberavit secundum tenorem dicte resignationis prescripte Tenenda de dicto S. D. N. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum In super dictus Thomas predicta duo tenementa cum singulis suis pertinentiis prefate Elizabethæ sue future sponse ab omnibus wardis releviis non introitibus dominarum terciis conjunctis infeodationibus aliisque vitalibus et annuis redditibus prioribus alienationibus et dispositionibus privatis et publicis sasinis inhibitionibus interdictionibus evictionibus appretiationibus purpresturis disclamationibus bastardiis ac ab omnibus aliis inconvenientiis quibuscunque presentibus preteritis et futuris se suosque heredes et assignatos contra omnes mortales

warantizare acquietare et imperpetuum defendere firmiter astringit et obligavit Cuiquidem warantizationis clausule prefatus ballivus ad requestum specialem dicti Thome resignantis et obligantis suum decretum judiciale et auctoritatem interposuit ordinando eandem omnibus temporibus affuturis vim et effectum decreti sui judicialis habere et quod executoriales desuper si necessi fuerit sequantur prout congruit de jure Super quibus omnibus et singulis premissis prefata Elizabetha a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica intrumenta unum sive plura Acta erant hec super sola et funda predictorum duorum tenementorum respective prescriptorum horam circiter quartam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Magistro Alexandro Scrymgeour ministro de Irwing Joanne Campbel gubernatore Olivero Broun officario et Alexandro Bynning filio legitimo Symonis Bynning burgensi de Irwing testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR ELIZABETH SMEYTOUN.

Instrument narrating that a prudent man, Thomas Boyd, sometime provost of Irvine, but now dwelling within the kingdom of Ireland, appeared personally upon the ground of his back tenement of land, lying within the burgh of Irvine, in the Kirkgate thereof, last occupied by John Barclay, tailor; also upon the ground of his fore tenement, likewise in the said Kirkgate, occupied and possessed by Hugh Lyne, merchant, lying between the lands of ————; and there the said Thomas, in view of the marriage already contracted between him and Elizabeth Smeytoun, relict of the late Mr. Alexander Campbell, minister of Stevinston, and by the favour of God shortly to be solemnized, and for the singular love, grace, and favour which he had towards the said Elizabeth his future spouse, did resign the said two tenements in the hands of an honourable man, John Blair, one of the bailies of Irvine, in favour of the said Elizabeth, and for this new seizin to be given to her of the same in liferent: and the said bailie having received the said resignation gave seizin of the said tenements to the said Elizabeth Smeytoun, who was personally present and accepted thereof: further, the said Thomas Boyd straitly bound himself to

warrant the said tenements to his said future spouse, free from all wards and other burdens, to which warrandice the bailie interposed his judicial decreet and authority; whereupon the said Elizabeth took instruments: Done upon the ground of the said two tenements about the fourth hour after noon of the 3rd day of August 1616, the witnesses being Mr. Alexander Scrymgeour, minister of Irvine, John Campbell, governor, Oliver Broun, officer, and Alexander Bynning, son of Simon Bynning, burghess of Irvine.

LV.—PRO MARIOTA GALT EJUSQUE SPONSA.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Augusti die decimo nono regnorumque S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quarto In mei notarii publici et testium subscriptorum presentis personaliter comparuit honorabilis vir Joannes Blair unus ballivorum burgi de Irwin super solum et fundum tenementi terre subscripti perprius ad quondam Adamum Galt mercatorem hereditarie pertinentis jacentis infra dictum burgum inter terras quondam Gavini Naysmith ex boreali et tenementum olim quondam Jacobi Stirling postea quondam Thome Hucheoun nunc vero heredis dicti quondam Thome ex australi partibus ab altera necnon super solum et fundum illarum quinque rodarum terrarum aut eo circa jacentium infra dictum burgum super montem vocatum Gallowhill inter terras Thome Cumyng ex boreali et terras quondam Roberti Tailzeour ex australi partibus ab altera Et ibidem quia sibi clare constabat et notum fuit per autentica documenta et sasine instrumenta publice sibi ostensa quod dictus quondam Adamus Galt frater germanus Mariote Galt sponse Patricii Spark burgensis dicti burgi latricis presentium obiit ultimo vestitus et sasitus ut de feodo ad fidem et pacem dicti S. D. N. regis in toto et integro predicto tenemento terre ante et retro cum horto aggere et singulis ejusdem pertinentiis necnon in totis et integris predictis quinque rodis terrarum aut eo circa ut supra jacentium Et quod dicta Mariota est una ex duabus sororibus germanis legitimis et propinquioribus heredibus portionariis ejusdem dicti quondam Adami sui fratris germani eorundem Et quod est legitime etatis Et quod de dicto S. D. N. rege tenentur in capite more burgali propterea prefatus Joannes Blair

ballivus antedictus virtute et vigore sui officii propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem totius et integre predictae juste et equalis dimedietatis predicti tenementi terre ante et retro horti aggeris vulgo lie tailling rig Necnon totius et integre equalis dimedietatis predictarum quinque rodarum terrarum aut eo circa cum singulis earundem pertinentiis ut supra jacentium prefate Mariote Galt tanquam uni ex duabus sororibus germanis et legitimis et propinquioribus heredibus portionariis dicti quondam Adami sui fratris germani earundem per terre et lapidis fundorum eorundem sibi personaliter presenti et acceptanti ut moris est traditionem dedit tradidit et hereditarie deliberavit secundum tenorem infeofamenti dicti quondam Adami eorundem Salvo jure cujuslibet Tenendarum de dicto S. D. N. rege more burgali Quibus peractis prefata Mariota non vi aut metu ducta nec errore lapsa fraude nec dolo aliquo circumventa pro amore et favore quos erga dictum Patricium Spark ejus maritum habet et gerit totam et integram predictam dimedietatem tenementi predicti horti et aggeris et dimedietatem predictarum quinque rodarum terrarum in manibus dicti ballivi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit unacum omnibus jure et titulo, etc. In favorem ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum prefato Patricio Spark sibi et ipsi eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis Quibus deficientibus dicto Patricio suisque heredibus et assignatis quibuscunque hereditarie eorundem danda Qua resignatione sit facta recepta et admissa per dictum ballivum prefatus ballivus virtute sui officii ac de mandato resignantis propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem totius et integre predictae equalis dimedietatis tenementi horti et aggeris et dimedietatis dictarum quinque rodarum terrarum ut supra jacentium prefatis Patricio Spark et Mariote Galt conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundorum eorundem illis personaliter presentibus traditionem dedit et deliberavit hereditarie secundum tenorem dicti resignationis Tenendarum more burgali Super quibus premissis prefati conjuges petierunt instrumenta Acta super funda dicti tenementi et terrarum hora decima antemeridiem presentibus ibidem Alexandro Montgomerie Jacobo Blair mercatoribus burgensibus dicti burgi Jacobo Ros notario et Willielmo Greiff serjiando testibus ad premissa vocatis pariterque rogatis.

R. BROWN.

ABSTRACT.

FOR MARION GALT AND HER SPOUSE.

Instrument narrating that an honourable man, John Blair, one of the bailies of the burgh of Irvine, compeared personally on the ground of the tenement of land, which belonged before heritably to the late Adam Galt, merchant, lying within the said burgh, between the lands of the late Gavin Naysmith on the north and the tenement formerly of the late James Stirling, afterwards of the late Thomas Hucheoun, but now of the heir of the latter, on the south : also upon the ground of those five roods of land or thereby, lying within the said burgh, on the hill called Gallowhill, between the lands of Thomas Cumyng on the north and the lands of the late Robert Tailzeour on the south : and there, because it clearly appeared and was known by authentic documents and instruments of seizin publicly shown to him, that the said deceased Adam Galt, brother-german of Marion Galt, spouse of Patrick Spark, burgess of the said burgh, died last vest and seized as of fee, at the faith and peace of the king, in the aforesaid tenement of land, with yard, tailling rig, etc. ; also in the said five roods of land lying as above, and that the said Marion is one of the two sisters-german and nearest heirs-portioners of the said Adam her brother, of the same ; and that she is of lawful age ; and that the subjects are held of the king in chief : Wherefore the said bailie, in virtue of his office, did with his own hands give state, heritable seizin, and also bodily possession of the just and equal half of the said tenement, yard, tailling rig, and of the half of the five roods of land aforesaid, to the said Marion Galt, personally present and accepting thereof ; which having been done, the said Marion, for the love and favour which she had towards the said Patrick Spark her husband, did freely resign the aforesaid half of the tenement, yard, rig, and roods, in the hands of the bailie, for new infestment thereof to be given to the said Patrick and herself in conjunct fee, and to their heirs heritably, which the bailie accordingly did in the usual form : Done upon the grounds of the said tenements and lands, at the eleventh hour before noon of the 19th day of August 1616, the witnesses present being Alexander Montgomerie, James Blair, merchant, burgesses of the said burgh, James Ros, notary, and William Greiff, serjeant.

LVI.—PRO JACOBO CUNYNGHAME, MERCATORE, ET EJUS SPONSA.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Augusti die vigesimo sexto regnorumque S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quarto In mei notarii publici et testium subscriptorum presentiis personaliter comparuerunt providi viri Archibaldus George novissimus prepositus burgi de Irwing et Archibaldus George ejus filius legitimus secundo loco natus super solum et fundum tenementi terre subscripti dicto Archibaldo George seniori hereditarie pertinentis jacentis infra dictum burgum in via ecclesiastica ejusdem ex occidentali latere vie regie ejusdem inter tenementum terre olim quondam Roberti Tueidy nunc vero Jacobi Cunynghame mercatoris burgensis dicti burgi ex orientale et communem viam regiam directe ascendentem ad montem vocatum M'Muserthill ex occidentale partibus ab una et aliis et ibidem dictus Archibaldus George senior cum expressis avisamento consensu et assensu dicti Archibaldi George junioris sui filii pro omnibus jure titulo et interesse sibi In et ad eundem competentibus ratione cujusvis infeofamenti sive resignationis ejusdem in ejus favorem per dictum suum patrem concessi necnon dictus Archibaldus George junior pro se metipso cum expressis avisamento consensu et assensu dicti sui patris et ambo unanimi consensu et assensu non vi aut metu ducti nec errore lapsi fraude nec dolo aliquo circumventi sed suis meris liberis et spontaneis voluntatibus et pro impletione et observatione cujusdam litere dispositionis per eos probis personis Jacobo Cunynghame mercatori burgensi dicti burgi et Margarete Russall ejus conjugii facte penes venditionem hereditariam et irredimabilem dispositionem dicti tenementi ante et retro cum horto et suis pertinentiis de data presentium confecte Totum et integrum predictum tenementum olim edificatum nunc vero vastum ante et retro cum horto et singulis suis pertinentiis ut supra jacens In manibus honorabilis viri Allani Dunlop unius ballivorum dicti burgi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum unacum omnibus jure titulo et interesse illis seu eorum cuilibet in et ad eundem vel aliquam earundem partem competentibus In favores dicti Jacobi Cunynghame et Margarete Russall sue sponse ac pro

hac nova sasina et infeodatione hereditaria per dictum ballivum illis eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis Quibus (quod absit) deficientibus legitimis et propinquioribus heredibus et assignatis dicti Jacobi quibuscunque hereditarie et irredimabiliter sine aliqua reversione redemptione regressu pacto promisso seu reversionum conditione quocunque per dictum ballivum in debita et competenti forma prout congruit danda et conficienda Qua resignatione sic ut premittitur facta debite rite et legitime per dictum ballivum admissa et recepta prefatus Allanus Dunlop ballivus antedictus virtute et vigore sui officii necnon de mandatis et requestibus specialibus dictorum resignantium propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem totius et integri predicti tenementi terre olim vero edificati nunc vero vasti ante et retro cum horto et singulis suis pertinentiis ut supra jacentis memorato Jacobo Cunynghame et Margarete Russall ejus sponse eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi ejusdem illis personaliter presentibus et pro se heredibus suis et assignatis hereditarie acceptantibus traditionem tradidit et deliberavit sine aliqua reversione redemptione aut regressu ut premittitur secundum formam et tenorem dicte resignationis ac littere dispositionis eo circa confecte Tenendi de dicto S. D. N. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefati conjuges ac eorum cuilibet pro se metipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundi dicti tenementi horam circiter nonam antemeridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Hugone Scott urbis prefecto burgi de Irwing Magistro Alexandro Scrymgeour ministro verbi Dei ibidem Joanne Neilsoun notario et Eduardo Cawane burgensibus de Irwing cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR JAMES CUNYNGHAME, MERCHANT, AND HIS SPOUSE.

Instrument narrating that there compeared personally the prudent men Archibald George, last provost of the burgh of Irvine, and Archibald George, his second son, upon the ground of a tenement of land pertaining heritably to the said Archibald, elder, lying within the said burgh, in the Kirkgate of the same, on the west side of the High Street thereof, between the tenement formerly of the late Robert Tueidy, but now of James Cunynghame, merchant, burgess, on the east, and the highway directly going up to the hill called M'Muserthill, on the west; and there the said Archibald George, elder, with advice and consent of the said Archibald, younger, for all right he had thereto by reason of infetment thereof granted to him by his father, and they both with one consent, did resign the said tenement, formerly built but now waste, with the yard, etc., in the hands of an honourable man, Allan Dunlop, one of the bailies of the said burgh, in favour of and for new infetment to be given to the worthy persons James Cunynghame, merchant, burgess of Irvine, and Margaret Russall his spouse, in conjunct fee, and to the survivor of them, and to the heirs procreated between them, which failing (as may God avert) to the heirs and assignees whatsoever of the said James, heritably and irredeemably; which resignation having been duly made, and by the said bailie admitted and received, he, in virtue of his office, and also by the special mandates and requests of the resigners, gave state, heritable sasine, actual, real, and bodily possession of the said tenement, to the aforesaid James Cunynghame and his spouse, both personally present, and receiving the same in the usual form: Done on the ground of the said tenement about the ninth hour before noon of the 26th day of August 1616: witnesses, Hugh Scott, provost of Irvine, Mr. Alexander Scrymgeour, minister of the Word of God there, John Neilson, notary, and Edward Cawane, burgesses.

LVII.—PRO ARCHIBALDO GEORGE, JUNIORE.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Augusti die vigesimo sexto regnorumque S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quarto In mei notarii publici et testium subscriptorum presentis personaliter constitutus honorabilis vir Archibaldus George novissimus prepositus burgi de Irwein personaliter comparuit super solum et fundum illius sui horti jacentis in via ecclesiastica dicti burgi de Irwing ex orientale latere communis vie regie dicti burgi qua itur ad ecclesiam inter illum hortum quem sequitur et adjacet domo dicti Archibaldi communiter vocato Rexburgh ex ————— Et ibidem pro singularibus amore gratia et favore quos habet et gerit erga Archibaldum George ejus filium legitimum secundo genitum Totum et integrum predictum hortum jacentem et bondatum ut premittitur et cui horto maxima pars alterius horti dicti Archibaldi contigue adjacet absque divisione per ullam sepem sive fossam unacum omnibus jure titulo jurisque clameo sibi suisque heredibus successoribus et assignatis in et ad eundem competentibus In manibus honorabilis viri Allani Dunlop unius ballivorum dicti burgi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit In favorem prefati Archibaldi George sui filii legitime secundo geniti suorumque heredum et assignatorum ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum sibi suisque prescriptis de eodem danda et concedenda Sub reversione tamen prefato Archibaldo George seniori in sua vita tantummodo a prefato suo filio suisque predictis per solutionem illis summe sex solidorum et octo denariorum vocate lie half merk peic usualis monete hujus regni Scotie super quemvis diem immediate precedentem festum Sancti Mertini (lie Mertinmes evin) in ecclesia parochiali de Irwin inter solis ortum et occasum premonitione legitima omni modo dicto suo filio ejusque prescriptis personaliter aut apud ejus domum seu locum habitationis in presentia communis notarii et testium fidedignorum per spatium quadraginta dierum precedens et si dictus Archibaldus junior sit extra hunc regnum Scotie apud crucem foralem dicti burgi per publicam citationem per spatium predictum in presentia

notarii et testium prout congruit Et casu absencie aut recusationis quod licitum erit dicto Archibaldo eandem consignare in manibus unius ballivorum dicti burgi quo facto predictum hortum omni tempore affuturo legitime redemptum et relaxatum reputabitur et hoc presens infeofamentum nullius erit roboris valoris efficacie aut effectus et proviso quod hec presens reversionis clausula et ordo redemptionis inibi contenta casu absencie dicti Archibaldi junioris extra regnum ejus citatio apud predictam crucem foralem super spatium predictum adeo valida et sufficiens erit ac si particularis reversio desuper facta fuerit et ac si personaliter infra regnum Scotie apprehensus fuerat Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Allanus Dunlop ballivus antedictus virtute et vigore sui officii necnon de mandato et requestu speciale dicti resignantis propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem Totius et integri predicti horti jacentis et bondati ut supra memorato Archibaldó George juniori per terre et lapidis fundi ejusdem illi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectum hereditarie secundam formam et tenorem dicte resignationis prescripte ac sub reversione ut predicatur deliberavit Tenendi de dicto S. D. N. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus Archibaldus George junior a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum predicti horti horam circiter decimam ante-meridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Hugone Scott urbis prefecto Magistro Alexandro Skrymgeour ministro verbi Dei apud Irwing Joanne Neilsoun notario et Eduardo Cawan burgensibus dicti burgi testibus ad premissa vocatis pariterque rogatis.

R. BROWN.

ABSTRACT.

FOR ARCHIBALD GEORGE, YOUNGER.

Instrument narrating that an honourable man, Archibald George, last provost of the burgh of Irvine, compeared personally on the ground of that his yard, lying in the Kirkgate of the said burgh, on the east side of the common highway thereof, which leads to the church, between that yard which follows and lies next to the house of the said Archibald, commonly called REXBURGH; and there, for the singular love, grace, and favour which he had towards Archibald George his second son, he freely resigned the said yard, lying and bounded as is premised, and to which the greater part of another yard of the resigner lies contiguous, without division by any hedge or dyke, in the hands of an honourable man, Allan Dunlop, one of the bailies of Irvine, in favour of the said Archibald George his son, his heirs and assignees, and for this new seizin of the same to be given to him, under reversion, however, to the said Archibald, elder, during his lifetime only, by payment to his said son of six shillings and eight pennies, called the half merk piece, upon any "Martinmas even," between the rising and setting of the sun, in the parish kirk of Irvine, lawful premonition having been made forty days preceding to the said Archibald, younger, and his heirs, personally or at his dwelling-house, in presence of the notary and faithful witnesses, and if the said Archibald, younger, should be furth of this kingdom of Scotland, the warning should be made at the market cross of the said burgh by public citation, in presence of notary and witnesses: and in case of absence or refusal, it shall be leisome to the said resigner to consign the money in the hands of one of the bailies of the said burgh, which being done, the aforesaid yard shall be reputed in all time coming to be lawfully redeemed and relaxed, and this present infeftment of no more force or effect; providing also, that this clause of reversion, and order of redemption therein contained, in the event of the absence of the said Archibald, younger, furth of the kingdom, shall be as valid and sufficient as if a particular reversion had been made thereupon, and as if he had been personally apprehended within the kingdom of Scotland: Which resignation having been made, and by the said bailie admitted and received, the latter, with his own hands, gave seizin to the said Archibald, younger, in the usual manner: Done upon the ground of the said yard about the

eleventh hour before noon of the 26th day of August 1616, the witnesses being Hew Scott, provost, Mr. Alexander Scrymgeour, minister at Irvine, John Neilson, notary, and Edward Cawan, burgesses.

LVIII.—PRO ANNABELLA CALDERWOD.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Augusti die vigesimo octavo regnorumque S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quarto In mei notarii publici et testium subscriptorum presentis personaliter constitutus providus vir Willielmus Mure burgensis burgi de Irwin comparuit super solum et fundum illius sui tenementi terre jacentis infra burgum de Irwing ex occidentali latere vie regie ejusdem inter tenementum et terram nunc Bessete Cowper ex australi et vennellam communiter vocatam the Gruipe ex boreali partibus ab una et aliis Et ibidem dictus Willielmus pro observatione et impletione unius ejus partis cujusdam contractus matrimonialis initi et confecti inter eum ex una et Joannem Calderwod in Gymmerstoun infra baroniam de Cassilles Thomam Calderwod ejus filium legitimum et Annabellam Calderwod ejus filiam legitimum partibus ab altera de data apud burgum de Air vigesimo sexto die mensis Augusti instantis penes matrimonium hactenus inter eos contractum et Deo favente postea solempnizandum Totum et integrum predictum ejus tenementum terre ante et retro subtus et supra cum horto et pertinentiis ejusdem ut supra jacens (exceptis et reservatis tantummodo posteriori cubiculo infra aream dicti tenementi et sellario, subtus eodem jacente) In manibus ————— sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunceavit et extradonavit imperpetuum unicum omnibus jure titulo et interesse illi in et ad eandem competentibus In favorem prefate Annabelle Calderwod ejus future sponse ac pro hac nova sasina et infeodatione ejusdem per dictum ——— dicte sue future sponse in sua pura virginitate in vitali reddito pro omnibus sue vite diebus in debita et competenti forma prout congruit danda et conficienda Qua resignatione sic ut premittitur facta debite rite et legitime per dictum ——— admissa et recepta prefatus ——— virtute et vigore sui officii

Necnon de mandato et requestu speciale dicti resignantis propriis suis manibus statum et sasinam vitalis redditus pariter et possessionem corporalem actualem et realem Totius et integri predicti tenementi terre ante et retro subtus et supra cum horto et singulis suis pertinentiis ut supra jacentis (exceptis et reservatis ut prius excipitur et reservatur) Memorate Annabella Calderwod in vitali redditu pro omnibus sue vite diebus per terre et lapidis fundi ejusdem dicto Joanni Calderwod ejus patri tanquam certo et indubitato actornato et eo nomine dicte Annabelle ejus filie traditionem et deliberationem dedit tradidit pariter et cum effectum deliberavit secundum formam et tenorem dicte resignationis littereque contractus matrimonialis eo circa confecte Tenendi de dicto S. D. N. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus Joannes Calderwod actornatus antedictus et eo nomine quo supra a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi horam circiter duodecimam in meridie aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Stephano Robinsoun burgensi dicti burgi Thoma Mure nauta Roberto Hendrie seniore fullone burgensi etiam dicti burgi et Williemo Greiff officario dicti burgi cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR ANNABELLA CALDERWOD.

Instrument narrating that a prudent man, William Mure, burgess of Irvine, compeared personally on the ground of his tenement of land lying in the said burgh, on the west side of the High Street thereof, between the tenement and land now of Bessie Cowper on the south, and the vennel commonly called the Gruip on the north, and there the said William, for observation and implement of his part of the matrimonial contract between him on the one part, and John Calderwod in Gymmerstoun, within the barony of Cassillis, Thomas Calderwod his son, and Annabella Calderwod his daughter, on the other part, of date at Ayr the 26th day of August instant, anent the marriage then contracted, and by the favour of God to

be afterwards solemnized, did surrender, and purely and simply resign the aforesaid tenement, with yard, etc. (excepting only the back bedchamber and the cellar below it), in favour of and for this new seizin to be given to the said Annabella his future spouse, in her pure virginity, in liferent; which was accordingly done by delivery of earth and stone of the ground thereof to the said John Calderwod, as attorney for his said daughter and in her name: Done upon the ground of the said tenement, about noon of the 28th day of August 1616, the witnesses there present being Stephan Robisoun, burgess of Irvine, Thomas Mure, mariner, Robert Hendrie, elder, waulker, burgess, William Greiff, officer, etc.

LIX.—PRO MAGISTRO ROBERTO BARCLAY.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Septembris die nono regnorum S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quarto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit discretus vir Ninianus Barclay mercator burgensis burgi de Irwin super solum et fundum illius tenementi terre ad eum hereditarie pertinentis jacentis infra burgum de Irwing pro presenti occupati per Thomam Scott et Joannem Barnis tinctarium jacentis ex orientali latere communis vie regie dicti burgi inter tenementum et terras Joannis Bogis sartoris ex boreali et tenementum heredum quondam Thome Tran ex australi partibus ab una et aliis Et ibidem dictus Ninianus non vi aut metu ductus nec errore lapsus fraude nec dolo aliquo circumventus sed sua mera libera et spontanea voluntate pro impletione et observatione unius ejus partis cujusdam littere dispositionis per eum penes venditionem et dispositionem hereditariam dicti tenementi cum pertinentiis probo adolescenti Magistro Roberto Barclay ejus fratri germano de data presentium confecte Totum et integrum predictum ejus tenementum terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis ut supra jacens In manibus honorabilis viri Joannis Blair unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit perpetuum unacum omnibus jure titulo et interesse sibi suisque heredibus

successoribus et assignatis in et ad eandem seu aliquam ejusdem partem competentibus In favorem prefati Magistri Roberti ejus fratris germani suorumque heredum et assignatorum ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum illi suisque prescriptis ejusdem hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu in debita et competenti forma prout congruit danda et concedenda Qua resignatione sic ut premittitur facta debite rite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii necnon de mandato et requestu speciale dicti Niniani resignantis propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem totius et integri predicti tenementi terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis ut supra jacentis occupati et possessi memorato Magistro Roberto Barclay personaliter presenti et acceptanti per terre et lapidis fundi ejusdem illi ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie et irredimabiliter sine reversione redemptione aut regressu ut premittitur deliberavit secundum formam et tenorem dicte dispositionis litere ac resignationis prescripte Tenendi de dicto S. D. N. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum super quibus omnibus et singulis premissis prefatus Magister Robertus Barclay a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi horam circiter nonam mane aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Jacobo Blair mercatore Willielmo Dickie in Lawthorn Roberto Dickie ejus filio cum diversis aliis testibus ad premissa vocatis pariterque rogatis. R. BROWN.

ABSTRACT.

FOR MASTER ROBERT BARCLAY.

Instrument narrating that a discreet man, Ninian Barclay, merchant, burgess of Irvine, compared personally on the ground of that tenement of land belonging to him heritably within the burgh of Irvine, for the present occupied by Thomas Scott and John Barnis, dyer, lying on the east side of the common highway of the said burgh, between the tenement and lands of John Bogis, tailor, on the north, and the tenement of the heirs of the

late Thomas Tran on the south, and there the said Ninian, for implement of his part of a disposition granted by him to a worthy young man, Master Robert Barclay his brother-german, of the date hereof, did freely resign the aforesaid tenement in the hands of an honourable man, John Blair, one of the bailies of the said burgh, in favour of the said Master Robert, and for new seizin of the same to be given to him: which resignation having been duly made, and by the bailie admitted and received, the said John Blair, in virtue of his office, and at the special request and mandate of the resigner, did with his own hands give state and heritable seizin, bodily, actual, and real possession of the said tenement of land, with yard, tail rig, etc., to the said Master Robert, who was personally present and accepting of the same, by the usual symbols: Done on the said ground, about the ninth hour of the morning of the 9th day of September 1616, the witnesses present being James Blair, merchant, William Dickie in Lawthorn, Robert his son, and others.

LX.—PRO JACOBO PATOUN, ET JONETA MOULTRAY EJUS SPONSA.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Septembris die nono regnorumque S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quarto In mei notarii publici et testium subscriptorum presentiis personaliter constitute probe persone Magister Robertus Barclay filius legitimus secundo genitus quondam Niniani Barclay prepositi burgi de Irwing hereditarius proprietarius tenementi terre subscripti et Mariota Ros ejus mater pro omnibus jure et titulo sibi in et ad predictum tenementum competentibus ratione vitalis redditus seu alio modo quocunque et Archibaldus George novissimus prepositus dicti burgi nunc sponsus dicte Mariote pro suo interesse personaliter comparuerunt super solum et fundum illius tenementi terre subscripti dicto Magistro Roberto hereditarie et dicte Mariote Ros ejus matri in vitali redditu pertinentis jacentis infra dictum burgum de Irwing in via ecclesiastica ejusdem ex orientali latere vie regie ejusdem inter tenementum Patricii Bryding ex australi et hortum dicti Archibaldi ex boreali partibus ab una et aliis Et ibidem dictus Magister Robertus pro semetipso et cum expressis avisamento consensu et assensu dicte sue

matris Necnon dicta Mariota pro semetipsa cum expressis avisamento consensu et assensu dicti sui mariti pro ejus interesse et omnes unanimi consensu et assensu pro observatione et impletione unius eorum partis cujusdam litere dispositionis per eos de dicto tenemento facte probis personis Jacobo Patoun nauclero burgensi dicti burgi et Jonete Moultray ejus conjugii de data presentium Totum et integrum predictum tenementum terre ante et retro cum domibus in area seu clausura ejusdem situatis et pertinentiis pro presenti per dictum Jacobum suamque sponsam occupatum et possessum In manibus honorabilis viri Joannis Blair unius ballivorum dicti burgi sursum reddiderunt pureque et simpliciter per fustim et baculum ut moris est resignarunt renunciarunt et extradonarunt imperpetuum unacum omnibus jure titulo et interesse proprietate et possessione illis seu eorum alicui in et ad eundem competentibus In favorem prefati Jacobi Patoun sueque sponse predictae ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum illis eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreandis Quibus deficientibus heredibus et assignatis dicti Jacobi quibuscunque ejusdem in debita et competenti forma prout congruit danda et conficienda Qua resignatione sic ut premittitur facta debite rite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii necnon de mandato et requestu speciale dictorum resignantium propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem Totius et integri predicti tenementi terre ante et retro subtus et supra cum domibus in area sive clausura ejusdem edificatis et ejusdem pertinentiis memoratis Jacobo Patoun et Jonete Moultray conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi ejusdem illis personaliter presentibus et acceptantibus ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu secundum tenorem dicte dispositionis litere ac resignationis prescripte deliberavit Tenendi de dicto S. D. N. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum In super in presentia dicti ballivi personaliter comparuit dicta Mariota Ros extra presentiam prefati Archibaldi George sui mariti et ibidem sacrosanctis tactis Dei evangelii se ad premissa minime coactam aut compulsam fuisse sed eandem ex sua mera libera et spontanea voluntate fecisse utilitate et

commodo suis undique previsis et pensatis et omnia et singula premissa sic ut premittitur facta approbavit ratificavit et de non revocando in futurum corporale suum prestitit juramentum Super quibus omnibus et singulis premissis prefati Jacobus Patoun et Joneta Moultray conjuges ac eorum cuilibet pro semetipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum predicti tenementi horam circiter primam post meridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Jacobo Blair mercatore fratre germano dicti ballivi Niniano Barclay fratre germano dicti Magistri Roberti Joanne Barclay sartore burgensibus de Irwing et Olivero Broun serjiando cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR JAMES PATOUN, AND JONET MOULTRAY HIS SPOUSE.

Instrument narrating that worthy persons, Master Robert Barclay, second son of the deceased Ninian Barclay, provost of Irvine, and Marion Ros his mother, compeared personally on the ground of that tenement belonging heritably to the said Master Robert, and to the said Marion his mother, in liferent, lying within the said burgh, in the Kirkgate thereof, on the east side of the High Street of the same, between the tenement of Patrick Bryding on the south, and the yard of Archibald George, last provost of Irvine, now husband of the said Marion Ros, on the north; and there the said Master Robert, with advice and consent of his said mother, and she with advice and consent of her said husband, and all with unanimous consent and assent, did freely resign the aforesaid tenement of land, with houses situated in the area or close thereof, presently occupied by James Patoun, shipmaster, burgess of Irvine, and Jonet Moultray his spouse, in the hands of an honourable man, John Blair, one of the bailies of the said burgh, in favour of and for new infeftment to be given of the same to the said James Patoun and Jonet Moultray his spouse, and the survivor of them, in conjunct fee, and the heirs to be procreated between them, which failing to the heirs and assignees of the said James, in terms of the disposition thereof granted to them by the resigners: Which resignation having been duly made, and by the bailie admitted and received, he, with

his own hands, gave seizin in the usual form to the said James and Jonet his spouse, personally present and accepting thereof: Moreover, the said Marion Ros, outwith the presence of the said Archibald George her husband, and in presence of the bailie aforesaid, the sacred evangels being touched, declared that she was no way forced or compelled to the premises, but did the same of her own mere, free, and spontaneous will, with due consideration of her own utility and advantage; and that she ratified and approved what was done, and gave her great bodily oath that she would not revoke the same in time coming: Whereupon the said James and Jonet, spouses, craved instruments: Done upon the ground of the said tenement, about the first hour after noon of the 9th day of September 1616, before witnesses, namely, James Blair, merchant, brother-german of the said bailie, Ninian Barclay, brother-german of the said Master Robert, John Barclay, tailor, burgess of Irvine, and Oliver Broun, serjeant.

LXI.—PRO ROBERTO SPEIR, FULLONE, ET EJUS SPONSA.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Septembris die decimo octavo regnorumque S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quarto In mei notarii publici et testium subscriptorum presentiis personaliter comparuerunt probe persone Thomas George burgensis de Irwin et Joneta Wallace conjuges super solum et fundum illius eorum tenementi terre jacentis infra dictum burgum de Irwing ex occidentali latere vie regie ejusdem pro presenti per Robertum Speir fullonem burgensem dicti burgi occupati et possessi et perprieus quondam Jacobo Bryding pertinentis jacentis inter tenementum quondam Joannis Andersoun ex boreali et tenementum Walteri Kyd ex australi partibus ab una et aliis Et ibidem dicti conjuges non vi aut metu ducti nec errore lapse fraude nec dolo aliquo circumventi sed suis meris liberis et spontaneis voluntatibus pro impletione et observatione unius eorum partis cujusdam dispositionis litere per eos de dicto tenemento terre cum expresso avisamento Archibaldi George patris dicti Thome dicto Roberto Speir fulloni et Margarete Dein ejus sponse de data presentium confecte Totum et integrum predictum

eorum tenementum terre ante et retro subtus supra et cum horto et singulis suis pertinentiis ut supra jacens In manibus honorabilis viri Joannis Blair unius ballivorum dicti burgi de Irwing sursum reddiderunt pureque et simpliciter per fustim et baculum ut moris est unanimi consensu et assensu resignarunt renunciarunt et extradonarunt imperpetuum unacum omnibus jure titulo interesse jurisclameo proprietate et possessione illis eorumve heredibus successoribus aut assignatis competentibus In favores prefatorum Roberti Speir et Margarete Dein conjugum suorumque heredum successorum et assignatorum quorumcunque ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum illis eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis quibus deficientibus heredibus et assignatis dicti Roberti quibuscunque hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu In debita et competenti forma prout congruit inde danda et conficienda Qua resignatione sic ut premittitur facta debite rite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii necnon de mandato et requestu speciale dictorum resignantium propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem Totius et integri predicti tenementi terre ante et retro subtus et supra cum horto et singulis suis pertinentiis ut supra jacentis occupati et possessi memoratis Roberto Speir et Margarete Dein conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi ejusdem illis personaliter presentibus et manibus junctis acceptantibus traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu deliberavit secundum formam et tenorem dicte dispositionis litere ac resignationis prescripte Tenendi de dicto S. D. N. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Insuper in presentia dicti ballivi personaliter comparuit prefata Joneta Wallace extra presentiam prefati sui mariti et ibidem omnia et singula premissa sic ut premittitur facta approbavit ratificavit et se ad premissa minime coactam aut compulsam fuisse sed eadem ex sua mera libera et spontanea voluntate fecisse utilitate et commodo suis undique previsis et pensatis et desuper tactis sacrosanctis Dei evangeliiis de non revocando in futurum corporale suum prestitit juramentum Super quibus omnibus et singulis premissis prefati Robertus Speir

ejusque sponsa predicta ac eorum quilibet pro se metipsis a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum predicti tenementi horam circiter nonam mane aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Willielmo Caulduall clerico balliatus de Cunyngham Jacobo Blair mercatore fratre germano dicti ballivi Davide Speir seniore burgensibus de Irwing, et Willielmo Greiff serjiando, cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR ROBERT SPEIR, WAULKER, AND HIS SPOUSE.

Instrument narrating that the worthy persons, Thomas George, burgess of Irvine, and Jonet Wallace his spouse, compeared personally upon the ground of that their tenement of land, lying within the said burgh, on the west side of the High Street thereof, presently occupied and possessed by Robert Speir, waulker, burgess of the said burgh, and formerly belonging to the late James Bryding, lying between the tenement of the late John Andersoun on the north and the tenement of Walter Kyd on the south; and there the said spouses, of their own free will, and for implement of their part of a certain letter of disposition granted by them with advice of Archibald George, father of the said Thomas, to the said Robert Speir and Margaret Dein his spouse, did resign their said tenement of land, with yard and pertinents, in the hands of John Blair, one of the bailies of Irvine, in favour of and for this new seizin and heritable infestment to be given to the said Robert and Margaret, in conjunct fee and liferent, and to their heirs procreated or to be procreated between them, which failing, to the heirs and assignees whatsoever of the said Robert, heritably and irredeemably, without any reversion, redemption, or regress; which resignation having been received by the said bailie, he, in virtue of his office, and also by the mandate and special request of the resigners, did with his own hands deliver state and heritable seizin, and bodily, actual, and real possession of all and whole the aforesaid tenement of land, with yard, etc., to the said Robert and Margaret, who were personally present and received the same with their hands joined. To be holden of the king in burgage manner, for rendering therefor yearly the burghal fermes and other burdens

and dues, used and wont to be paid: moreover, in presence of the said bailie, compeared personally the aforesaid Jonet Wallace, outwith the presence of her said husband, and there ratified and approved all and sundry the premises, and affirmed that she was not at all forced thereto, but had done the same freely, her utility and advantage having been on every side foreseen and weighed; and thereupon, touching the sacred evangels of God, she gave her bodily oath that she would not revoke the same in future: Upon which things all and sundry the aforesaid Robert Speir and his spouse craved public instruments to be made to them: Done on the ground of the said tenement, about the ninth hour of the morning of the 18th day of September 1616, the witnesses being William Cauldwall, clerk of the bailiery of Cunyngham, James Blair, merchant, brother-german of the said bailie, David Speir, elder, burgesses of Irvine, and William Greiff, serjeant.

LXII.—PRO WILLIELMO RANDELL.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Septembris die vigesimo quarto regnorumque S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quarto In mei notarii publici et testium subscriptorum presentiis personaliter constitutus honorabilis vir Allanus Dunlop unius ballivorum burgi de Irwing Quia sibi clare constabat et notum fuit per autentica documenta et sasine instrumenta publice sibi ostensa perlecta et demonstrata quod quondam Petrus Randell burgensis burgi de Irwing pater Willielmi Randell latoris presentium obiit ultimo vestitus et sasitus ut de feodo ad pacem et fidem dicti S. D. N. regis in toto et integro illo posteriore tenemento cum horto et singulis suis pertinentiis jacente infra dictum burgum de Irwing ex boreali latere vie ecclesiastice ejusdem inter tenementum olim Eduardi Cawane ex occidentali nunc vero Archibaldi Barclay fabri murarii et tenementum Laurencii Randell pistoris ex orientali et tenementum Roberti Miller ex australi partibus ab una et aliis Et quod dictus Willielmus Randell est legitimus et propinquior heres ejusdem quondam Petri sui patris de predicto posteriore tenemento cum horto et pertinentiis Et quod est legitime etatis Et quod de predicto

S. D. N. rege tenetur in capite more burgali Propterea prefatus Allanus Dunlop ballivus antedictus virtute et vigore sui officii propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem Totius et integri predicti posterioris tenementi cum horto et singulis suis pertinentiis ut predicatur jacentis memorato Willielmo Randell tanquam filio legitimo et propinquiore heredi antedicti quondam Petri sui patris per terre et lapidis fundi ejusdem ille personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectum hereditarie investivit secundum formam et tenorem antiquorum infeofamentorum dicti quondam Petri sui patris que de eisdem inde habet Salvo jure cujuslibet Ac reservato vitali reddito dicti posterioris tenementi Margarete Renkyn relicte dicti quondam Petri ac matri dicti Willielmi pro omnibus sue vite diebus Tenendi de dicto S. D. N. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas Necnon reddendo annuatim prefato Roberto Miller suisque heredibus et successoribus summam viginti solidorum monete Scotie ad duos anni terminos consuetos festa videlicet Penthecostes et sancti Martini in hyeme per equales portiones usque ad legitimam redemptionem dicti posterioris tenementi per dictum Robertum secundum formam et tenorem et modum in infeofamento dicti quondam Petri specificatum Super quibus omnibus et singulis premissis prefatus Willielmus a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti posterioris tenementi horam circiter secundam post meridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Alexandro Montgomerie mercatore Thoma Randell Laurencio Randell pistore et Joanne Raynkin burgensibus de Irwing et Willielmo Greiff serjando cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR WILLIAM RANDELL.

Instrument narrating that an honourable man, Allan Dunlop, one of the bailies of the burgh of Irvine, compeared personally in presence of the notary public and witnesses ; and because it was clearly evident and known to him by authentic documents and instruments of seizin, publicly shown to him, read, and demonstrated, that the late Peter Randell, burgess of Irvine, father of William Randell, died last vest and seized as of fee at the peace and faith of the king in all and whole that back tenement, with yard and pertinents, lying within the said burgh, on the north side of the Kirk-gate thereof, between the tenement formerly of Edward Cawane, but now of Archibald Barclay, mason, on the west, the tenement of Laurence Randell, baker, on the east, and the tenement of Robert Miller on the south ; and that the said William Randell is lawful and nearest heir of the said Peter, his father, of the aforesaid tenement, which is held of the king in chief in burghal manner ; wherefore, the aforesaid Allan Dunlop, bailie, in virtue of his office, did with his own hands give state and heritable seizin, and likewise actual and real bodily possession, of the said back tenement and yard, to the aforesaid William Randell, as son and heir of the said Peter, by delivery to him, personally present and accepting, of earth and stone of the ground thereof ; saving all rights, and reserving the liferent of the said tenement to Margaret Renkyn, widow of the said Peter, and mother of the said William : To be holden of the king and his successors for rendering yearly the burghal fermes and other dues used and wont to be paid ; and also rendering yearly to the aforesaid Robert Miller and his heirs the sum of twenty shillings, at the terms of Whitsunday and Martinmas, by equal half portions, until the lawful redemption of the said back tenement by the said Robert, according to the form and tenor specified in the infeftment of the said Peter Randell : Done upon the ground of the said tenement, about the second hour after noon of the 24th day of September 1616 : the witnesses being Alexander Montgomerie, merchant, Thomas Randell, baker, and John Raynkin, burgesses of Irvine, and William Greiff, serjeant.

LXIII.—PRO ALEXANDRO CUNYNGHAME, SENIORE, ET EJUS
SPONSA, Etc.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Octobris die tercio regnorumque S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quarto In mei notarii publici et testium subscriptorum presentiis personaliter constituti honorabilis vir Archibaldus George prepositus burgi de Irwing Andreas Tran et Alexander Cunynghame senior mercatores burgenses ejusdem personaliter comparuerunt super sola et funda illorum tenementorum terrarum aliarumque particulariter subtus specificatorum videlicet et primo super sola et funda illorum trium tenementorum terre et horreorum super eadem situatorum insimul et contigue infra dictum burgum jacentium ad caput ejusdem inter terras et tenementum olim quondam Thome Cummyng nunc vero Joannis Cunyngham ex australi et tenementum quondam Willielmi Kyll nunc vero Joannis Neilsoun notarii ex boreali partibus ab una et aliis Et similiter et immediate postea super solum et fundum illius tenementi sive rode terre jacentis inter terras olim quondam Thome Thomsoun nunc vero Hugonis Thomsoun ex boreali et terras quondam ———— ex australi partibus in quibus tenementis respective prescriptis debite et legitime infeodati existunt ratione dispositionis earundem facte per Joannem Byres mercatorem burgensem Edinburgi ad cujus instantiam eedem terre a quondam Willielmo Patoun mercatore burgensi burgi de Irwing appreciate fuerant Et ibidem dicte persone non vi aut metu ducti nec errore lapsi fraude nec dolo aliquo circumventi sed suis meris liberis et spontaneis voluntatibus et pro certis pecuniarum summis illis premanibus [per] discretum virum Magistrum Willielmum Patoun ministrum verbi Dei apud ecclesiam de Rathmoithie infra regnum Hibernie filium legitimum natu maximum dicti quondam Willielmi persolutis de quibus tenebant se bene contentos plenarie et integre persolutos dictumque Magistrum Willielmum suosque heredes executores et assignatos de eisdem exonerarunt et quiete clamarunt per huius presentis instrumenti tenorem imperpetuum unanimi consensu et assensu Tota et integra predicta tenementa terre cum horreis super eisdem situatis et earundem pertinentiis ante et retro subtus et supra

ut premittitur jacentia unacum omnibus jure juristitulo interesse jurisclameo proprietate et possessione illis seu eorum cuilibet in et ad eadem seu aliquam earundem partem cum pertinentiis competentibus In manibus honorabilis viri Adami Cunyngham unius ballivorum dicti burgi sursum reddiderunt pureque et simpliciter per fustim et baculum ut moris est resignarunt renunciarunt et extradonarunt imperpetuum In favorem prefati Magistri Willielmi ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum illi suisque heredibus et assignatis per dictum ballivum earundem hereditarie et irredimabiliter in debita et competenti forma prout congruit danda et conficienda Qua resignatione sic ut premittitur facta debite rite et legitime per dictum ballivum admissa et recepta prefatus Adamus Cunyngham ballivus antedictus virtute et vigore sui officii Necnon de mandatis specialibus dictorum resignantium propriis suis manibus statum et sasinam hereditaria pariter et possessionem corporalem actuaalem et realem Totorum et integrorum predictorum trium tenementorum terre ante et retro cum horreis super eisdem situatis necnon predicti tenementi sive rode terre cum pertinentiis ut premittitur jacentis memorato Magistro Willielmo Patoun personaliter presenti et acceptanti per terre et lapidis fundorum earundem respective et successive ut moris est traditionem et deliberationem dedit tradidit hereditarie et sine reversione aut redemptione contulit et deliberavit Tenendorum de predicto S. D. N. rege suisque successoribus more burgali Quibus peractis, prefatus Magister Willielmus personaliter super funda dictorum tenementorum respective existens pro observatione et impletione unius partis cujusdam dispositionis littere per eum de eisdem tenementis facte prefato Alexandro Cunynghame seniori mercatori et Margarete Cunynghame ejus sponse ac pro certis pecuniarum summis sibi per eos plenarie et integre in pecunia numerata persolutis cum expressis avisamento et consensu prefati Archibaldi George et Andree Tran pro omnibus jure et titulo illis ad eadem competentibus super sola et funda dictarum terrarum existentium Tota et integra predicta tria tenementa terre ante et retro subtus et supra et horrea super eadem situata in simul et contigue ut premittitur jacentia necnon totum et integrum predictum tenementum sive rodam terre cum singulis suis pertinentiis ut premittitur jacentem In manibus dicti Adami Cunyngham ballivi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum unacum omnibus jure juristitulo interesse jurisclameo etc. illi suisve heredibus aut assignatis in et ad eadem

seu aliquam earundem partem competentibus In favorem prefati Alexandri Cunyngham sueque sponse predictae ac pro hac nova sasina et infeodatione hereditarie per dictum ballivum illis eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis quibus deficientibus legitimis et propinquioribus heredibus et assignatis dicti Alexandri quibuscunque hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu in debita et competenti forma prout congruit danda et conficienda Qua resignatione sic ut premittitur facta debite rite et legitime per dictum ballivum admissa et recepta prefatus Adamus Cunynghame ballivus antedictus virtute et vigore sui officii necnon de mandato speciale dicti resignantis propriis suis manibus statum et sasina hereditariam et possessionem corporalem actualement et realem Totorum et integrorum predictorum trium tenementorum terre ante et retro subtus et supra cum horreis super eisdem situatis necnon totius et integri predicti tenementi sive rode terre ut premittitur respective jacentis cum singulis suis partibus pendiculis et pertinentiis memoratis Alexandro Cunyngham et Margarete Cunynghame conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundorum eorundem illis personaliter presentibus et manibus junctis acceptantibus traditionem et deliberationem dedit tradidit et deliberavit sine reversione ut predicatur secundum formam et tenorem dicte dispositionis litere ac resignationis prescripte Tenendorum de dicto S. D. N. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus Magister Willielmus Patoun pro semetipso necnon prefati Alexander et Margareta Cunynghames conjuges ac eorum quilibet pro se metipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda dictorum tenementorum et terrarum respective prescriptorum successive per se horam circiter duodecimam in meridie sub anno die mense regnisque regis quibus supra presentibus ibidem Joanne Blair altero ballivorum dicti burgi Davide Walker et Allano Ros pellionibus burgensibus ibidem Patricio Spark burgensi dicti burgi et Willielmo Greiff serjiando cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR ALEXANDER CUNYNGHAME, ELDER, AND HIS SPOUSE.

Instrument narrating that there compeared personally an honourable man, Archibald George, provost of the burgh of Irvine, and Andrew Tran and Alexander Cunynghame, elder, merchant, burgesses of the same, on the ground of those three tenements of land, and barns situated thereon, lying together and contiguously within the said burgh, at the head thereof, between the land and tenement sometime of the late Thomas Cummyng, but now of John Cunyngham, on the south, and the tenement of the late William Kyll, but now of John Neilsoun, notary, on the north : and in like manner, and immediately afterwards, upon the ground of that tenement or rood of land lying between the lands sometime of the late Thomas Thomsoun, but now of Hugh Thomsoun, on the north, and the lands of the late ——— on the south ; in which tenements, respectively before written, the said persons were duly and lawfully infest, by reason of a disposition thereof granted by John Byres, merchant, burgess of Edinburgh, at whose instance the same had been apprised from the late William Patoun, merchant, burgess of Irvine ; and there the said persons, of their own free will, and for certain sums of money paid to them beforehand by a discreet man, Mr. William Patoun, minister of the Word of God at Rathmoithie, in the kingdom of Ireland, eldest son of the aforesaid William Patoun, did freely resign the said tenement and others in the hands of an honourable man, Adam Cunynghame, one of the bailies of the said burgh, for new seizin of the same to be given by him to the said Mr. William Patoun, who was personally present, which was accordingly done : Whereupon the said Mr. William, in implement of disposition therein mentioned, and for certain sums of money paid to him by the aforesaid Alexander Cunynghame, elder, merchant, and Margaret Cunynghame his spouse, did again freely resign the aforesaid tenements of land, etc., in the hands of the said bailie, in favour of and for new infestment of the same to be given to the said Alexander and his spouse, in conjunct fee, and to the heirs gotten or to be gotten between them, heritably and irredeemably, which the bailie accordingly gave by the delivery of earth and stone to the said spouses, who received the same with their hands joined : Done upon the grounds of the said lands respectively and successively, about noon of the third day of

October 1616, the witnesses present being John Blair, another of the bailies of Irvine, David Walker and Allan Ros, skimmers, burgesses there, Patrick Spark, burgess, William Greiff, serjeant, and others.

LXIV.—PRO ALEXANDRO CUNYNGHAME, JUNIORE, MERCATORE,
ET SPONSA.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Octobris die tercio regnorumque S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quarto In mei notarii publici et testium subscriptorum presentiis personaliter constituti honorabilis vir Archibaldus George prepositus burgi de Irwing Andreas Tran et Alexander Cunyngham senior mercatores burgenses ejusdem personaliter comparuerunt super solum et fundum illius tenementi terre subscripti jacentis infra dictum burgum de Irwing ex occidentali latere vie regie ejusdem inter tenementum Willielmi Barclay ex boreali et tenementum quondam Joannis Tueidy Alexandri Randel Hugonis Broun et Joannis Montgomerie ex australi partibus ab una et aliis in quo tenemento debite et legitime infeodati existunt ratione dispositionis ejusdem facte per Joannem Byres mercatorem burgensem de Edinburgh ad cujus instanciam predictum tenementum terre ante et retro subtus et supra cum horto et singulis suis pertinentiis a quondam Willielmo Patoun mercatore burgensi burgi de Irwing legitime appreciatum fuerat Et ibidem dicte persone omnes unanimi consensu et assensu non vi aut metu ducti nec errore lapsi fraude nec dolo aliquo circumventi sed suis meris liberis et spontaneis voluntatibus ac pro certis pecuniarum summis illis premanibus [per] discretum virum Magistrum Willielmum Patoun ministrum verbi Dei apud ecclesiam de Rathmoithie infra predictum regnum Hibernie filium legitimum natu maximum dicti quondam Willielmi persolutis de quibus tenebant se bene contentos plenarie et integre persolutos dictumque Magistrum Willielmum suosque heredes executores et assignatos de eisdem exonerarunt et quieteclamarunt per hujus presentis instrumenti tenorem imperpetuum Totum et integrum predictum tenementum terre ante et retro subtus et supra cum horto ejusdem et singulis suis pertinentiis ut predicatur jacens unacum omnibus jure titulo et interesse illis eorumve heredibus aut

assignatis in et ad eundem seu aliquam earundem cum pertinentiis competentibus In manibus honorabilis viri Adami Cunynghame unius ballivorum dicti burgi de Irwing sursum reddiderunt pureque et simpliciter per fustim et baculum ut moris est resignarunt renunciarunt et extradonarunt imperpetuum In favorem prefati Magistri Willielmi Patoun suorumve heredum et assignatorum ac pro hac nova sasina et infeodatione hereditarea per dictum ballivum illi suisque prescriptis hereditarie et irredimabiliter sine aliqua reversione aut regressu in debita et competenti forma prout congruit danda et concedenda Qua resignatione sic ut premittitur facta debite rite et legitime per dictum ballivum admissa et recepta, prefatus Adamus Cunynghame ballivus antedictus virtute et vigore sui officii necnon de mandatis specialibus dictorum resignantium propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totius et integri predicti tenementi terre ante et retro subtus et supra cum horto ejusdem et singulis suis pertinentiis ut supra jacentis memorato Magistro Willielmo Patoun personaliter presenti et acceptanti per terre et lapidis fundi ejusdem sibi ut moris est traditionem et deliberationem dedit tradidit et deliberavit Secundum formam et tenorem dicte resignationis prescripte Tenendi de dicto S. D. N. rege suisque successoribus more burgali Quibus peractis prefatus Magister Willielmus super fundum dicti tenementi personaliter existens pro impletione et observatione unius ejus partis cujusdam dispositionis litere, per eum de dicto tenemento cum pertinentiis de data presentium confecte provide viro Alexandro Cunynghame juniore mercatori burgensi dicti burgi et Jonete Tran ejus sponse cum expressis avisamento consensu et assensu prefati Archibaldi George Andree Tran et Alexandri Cunynghame senioris pro omnibus jure et titulo illis seu eorum alicui in et ad predictum tenementum terre ante et retro subtus et supra cum horto et pertinentiis seu aliquam earundem partem competentibus ratione predicti eorum tituli et juris seu alio modo quocunque tam non expressato quam expressato personaliter super fundum dicti tenementi existentium Totum et integrum predictum tenementum terre ante et retro subtus et supra cum horto ejusdem et singulis suis pertinentiis In manibus dicti ballivi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum unacum omnibus jure titulo et juris clameo sibi quovismodo in et ad eundem competentibus In favores prefatorum Alexandri Cunyngham junioris et Jonete Tran conjugum eorumque heredum

et assignatorum ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum illis eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreandis Quibus deficientibus heredibus et assignatis dicti Alexandri quibuscunque hereditarie et irre-
dimabiliter sine reversione in debita forma danda et concedenda Qua
resignatione sic ut premittitur facta et per dictum ballivum legitime
admissa et recepta prefatus Adamus ballivus antedictus virtute sui officii ac
de mandato dicti resignantis propriis suis manibus statum et sasinam
hereditariam pariter et possessionem corporalem actualem et realem Totius
et integri predicti tenementi terre ante et retro subtus et supra cum horto
ejusdem et singulis suis pertinentiis ut premittitur jacentis memoratis
Alexandro Cunyngham et Jonete Tran conjugibus eorumque alteri diutius
viventi in conjuncta infeodatione per terre et lapidis fundi ejusdem illis
personaliter presentibus et manibus junctis acceptantibus traditionem et
deliberationem dedit tradidit et deliberavit sine reversione secundum
formam et tenorem dicte resignationis litereque dispositionis prescripte
Tenendi de dicto S. D. N. regie suisque successoribus more burgali Reddendo
inde annuatim firmas burgales aliaque onera et divorias solvi solitas et
consuetas tantum Super quibus omnibus et singulis premissis prefatus
Magister Willielmus Patoun pro se metipso necnon dicti Alexander
Cunyngham junior et Joneta Tran conjuges ac eorum quilibet pro se
metipsis a me notario publico subscripto sibi fieri petierunt hoc presens
publicum instrumentum seu plura publica instrumenta unum sive plura
Acta erant hec super solum et fundum dicti tenementi horam circiter
duodecimam in meridie sub anno die mense regnisque regis quibus supra
Presentibus ibidem Joanne Blair altero ballivorum dicti burgi Davide
Walker et Allano Ros pellionibus Jacobo Quhyt et Roberto Dyett mercatori-
bus burgensibus dicti burgi et Willielmo Greiff serjiando cum diversis aliis
testibus ad premissa vocatis pariterque rogatis.

R. BROWN.

ABSTRACT.

FOR ALEXANDER CUNYNGHAME, YOUNGER, MERCHANT, AND
SPOUSE.

Instrument narrating that there compeared personally an honourable man, Archibald George, provost of Irvine, Andrew Tran and Alexander Cunynghame, elder, merchants, burgesses of the said burgh, on the ground of that tenement of land lying within the said burgh, on the west side of the High Street thereof, between the tenement of William Barclay on the north, and the tenement of the late John Tueidy, Alexander Randel, Hugh Broun, and John Montgomerie, on the south, in which tenement they were duly and lawfully infeft by reason of disposition thereof granted by John Byres, merchant, burgess of Edinburgh, at whose instance the said tenement of land, with yard, etc., had been lawfully apprised from the late William Patoun, burgess of Irvine: And there the said persons, all with one consent, of their own free wills, and for certain sums of money paid to them beforehand by a discreet man, Mr. William Patoun, minister of the Word of God at the Church of Rathmoithie, within the kingdom of Ireland, eldest son of the said William, did surrender, and purely and simply resign the aforesaid tenement, by staff and baton, in the hands of an honourable man, Adam Cunynghame, one of the bailies of Irvine, in favour of the said Mr. William Patoun, his heirs and assignees, and for this new seizin and heritable infeftment to be given to him thereof by the said bailie, who accordingly did with his own hands give seizin thereof to the said Mr. William, who was personally present: Which being done, the said Mr. William being upon the ground of the said tenement, and in implement of the disposition therein mentioned, which he had granted with advice and consent of the said Archibald George, Andrew Tran, and Alexander Cunynghame, elder, did again resign the same in the hands of the said bailie, in favour of a prudent man, Alexander Cunynghame, younger, merchant, burgess of the said burgh, and Jonet Tran his spouse, and for this new infeftment to be given to them by the said bailie, in conjunct fee, and to the heirs to be procreated between them, which failing, to the heirs whatsoever of the said Alexander, heritably and irredeemably, without reversion: Which resignation so made having been admitted and received by the said bailie, he gave seizin accordingly, by delivery of earth and

stone of the ground of the said tenement, to the said Alexander and Jonet, who were personally present, and received the same with their hands joined together: Done on the ground aforesaid, about noon of the third day of October 1616, the witnesses there present being John Blair, another of the bailies of the said burgh, David Walker and Allan Ros, skinnners, James Quhyt and Robert Dyett, merchants, burgesses, and William Greiff, serjeant.

LXV.—PRO DAVIDE WALKER, PELLIONE, ET EJUS SPONSA, ETC.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Octobris die tercio regnorumque S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quarto In mei notarii publici et testium subscriptorum presentis personaliter constitute probe persone Alexander Cunynghame junior mercator burgensis burgi de Irwing et Joneta Tran ejus sponsa personaliter comparuerunt super sola et funda illorum duorum tenementorum terre illis hereditarie pertinentium contigue jacentium infra dictum burgum de Irwing ad borealem finem ejusdem inter tenementum Allani Ros pellionis burgensis dicti burgi ex boreali et tenementum Davidis Speir fullonis ex australi partibus ab una et aliis Et ibidem dicti conjuges non vi aut metu ducti nec errore lapsi fraude nec dolo aliquo circumventi sed suis meris liberis et spontaneis voluntatibus unanimi consensu et assensu ratione pure venditionis et alienationis per eos de dictis duobus tenementis terre cum pertinentiis facte provido viro Davidi Walker pellioni burgensi dicti burgi et ——— Watsoun ejus sponse ac pro certis pecuniarum summis illis per dictos conjuges in pecunia numerata tempore presentium confectionis persolutis de quibusquidem pecuniarum summis tenebant se bene contentos plenarie et integre persolutos dictumque Davidem ejusque sponsam eorumque heredes et assignatos de eisdem exonerarunt et quieteclamarunt imperpetuum prout in dispositionis litera eo circa confecta de data presentium latius sit mentio Necnon pro impletione et observatione dicte dispositionis litere tota et integra predicta eorum duo tenementa terre insimul et contigue ut premittitur jacentia ante et retro subtus et supra cum hortis et singulis suis pertinentiis bondata et limitata ut prefertur In manibus honorabilis viri Joannis Blair

unius ballivorum dicti burgi de Irwing sursum reddiderunt pureque et simpliciter per fustim et baculum ut moris est resignarunt renunciarunt et extradonarunt imperpetuum unacum omnibus jure titulo interesse jurisclameo proprietate et possessione tam petitorio quam possessorio que seu quas illi vel eorum alicujus suive heredes aut assignati in et ad eundem seu aliquam earundem partem cum pertinentiis habuerunt habent seu quovismodo in futurum habere clamare vel pretendere potuerunt In favores dicti Davidis sueque sponse predicte ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum illis eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis quibus deficientibus heredibus et assignatis dicti Davidis quibuscunque hereditarie et irredimabiliter absque aliqua reversione redemptione aut regressu in debita et competenti forma desuper prout congruit danda et conficienda Qua resignatione sic ut premittitur facta debite rite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actuaalem et realem Totorum et integrorum predictorum duorum tenementorum terre ante et retro subtus et supra cum hortis et singulis suis pertinentiis ut supra jacentium memorato Davidi Walker et ——— Watsoun ejus sponse eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundorum eorundem respective et successive illis personaliter presentibus et manibus junctis acceptantibus traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie sine reversione redemptione aut regressu ut predicatur secundum formam et tenorem dicte resignationis litereque dispositionis prescripte deliberavit Tenendorum de dicto S. D. N. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales alia onera et divorias solvi solitas et consuetas tantum In super in presentia dicti ballivi personaliter comparuit dicta Joneta Tran super sola et funda dictorum duorum tenementorum terre respective prescriptorum Et ibidem extra presentiam prefati Alexandri sui mariti se ad premissa minime coactam aut compulsam fuisse sed eadem ex sua mera libera et spontanea voluntate fecisse et omnia et singula premissa sic ut premittitur facta approbavit ratificavit et de non revocando in futurum sacrosanctis tactis Dei evangeliis juramentum suum prestitit corporale Super quibus omnibus et singulis premissis prefati David Walker ejusque sponsa predicta ac eorum quilibet pro se metipsis a me notario publico subscripto sibi fieri

petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda dictorum duorum tenementorum respective prescriptorum singulatim et successive per se horam circiter quartam post meridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Adamo Cunyngham altero ballivorum dicti burgi Andrea Tran mercatore Jacobo Blair mercatore Allano Ros pellione burgensibus de Irwing Willielmo Greiff et Olivero Broun serjiandis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR DAVID WALKER, SKINNER, AND HIS SPOUSE.

Instrument narrating that worthy persons, Alexander Cunynghame, younger, merchant, burgess of Irvine, and Jonet Tran his spouse, compeared personally upon the ground of these two tenements of land, belonging to them heritably, lying contiguously within the said burgh, at the north end of the same, between the tenement of Allan Ros, skinner, burgess, on the north, and the tenement of David Speir, fuller, on the south; and there the said spouses, with one consent, did freely resign the said two tenements in the hands of an honourable man, John Blair, one of the bailies of Irvine, in favour of, and for this new infeftment thereof to be given to a prudent man, David Walker, burgess of the said burgh, and ——— Watsoun his spouse, and the survivor of them, in liferent and conjunct fee, and the heirs procreated or to be procreated between them, which failing, to the heirs whatsoever of the said David, heritably and irredeemably, and that in virtue of the pure sale and alienation made by the resigners to the said David and his spouse, of the said two tenements for certain sums of money paid by them therefor: Which resignation being duly made, and by the bailie admitted and received, he did, with his own hands, give seizin, with the usual formalities, to the said David and his spouse, who were personally present and accepting thereof, with their hands joined together: And thereafter the said Jonet Tran, outwith the presence of her husband, and in presence of the said bailie, declared that she was in no way forced or compelled, but of her own free will approved and ratified all that had been done in the premises, and gave her bodily oath, by touching the sacred

gospels, that she would not revoke the same in future ; upon all which the said David Walker and his spouse craved instruments from the notary : Done on the ground of the said tenements respectively and successively, about the fourth hour after noon of the 3rd day of October 1616, before these witnesses, Adam Cunyngham, one of the bailies of Irvine, Andrew Tran, merchant, James Blair, merchant, Allan Ros, skinner, burgesses, William Greiff and Oliver Broun, serjeants.

LXVI.—PRO WILLIELMO CUNYNGHAME, NAUTA, ET MARIOTA
CUMYNG EJUS SPONSA.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Octobris die quinto regnorumque S. D. N. Jacobi gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quarto In mei notarii publici et testium subscriptorum presentis personaliter comparuit providus vir Robertus Cunynghame mercator senior burgensis burgi de Irwing super sola et funda illorum duorum tenementorum terre sibi hereditarie pertinentium in simul et contigue jacentium infra dictum burgum de Irwing ex orientali latere vie regie ejusdem inter tenementum Alexandri Patoun ex boreali et tenementum Davidis Dickie ex australi partibus ab una et aliis Et ibidem dictus Robertus pro certis pecuniarum summis sibi premanibus providi viri Willielmi Cunyngham naute burgensis dicti burgi et Mariote Cumyng ejus sponse persolutis de quibus tenebat se bene contentum plenarie et integre persolutum dictosque conjuges eorumque heredes et assignatos de eisdem exoneravit et quieteclamavit plena per hujus presentis instrumenti tenorem imperpetuum Totam et integram justam quartam partem dictorum suorum duorum tenementorum terre ante et retro cum hortis et singulis eorundem pertinentiis ut supra jacentium In manibus honorabilis viri Adami Cunyngham unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum unacum omnibus jure titulo interesse jurisclameo proprietate et possessione sibi suisque heredibus et assignatis quibuscunque in et ad eandem competentibus In favores prefati Willielmi Cunyngham et Mariote Cumyng ejus sponse eorumque heredum et assignatorum quorumcunque ac pro hac nova sasina et infeodatione

hereditaria per dictum ballivum dicte quarte partis dictorum duorum tenementorum respective prescriptorum dictis conjugibus eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis quibus deficientibus dicto Willielmo suisque legitimis et propinquioribus heredibus et assignatis quibuscunque hereditarie et irredimabiliter absque aliqua reversione, redemptione seu regressu quocunque in debita et competenti forma prout congruit danda et conficienda Quibus peractis prefatus Adamus Cunyngham ballivus antedictus virtute et vigore sui officii necnon de mandato speciale dicti resignantis propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem Totius et integre predictae quarte partis predictorum duorum tenementorum terre ante et retro cum hortis et singulis suis pertinentiis dicte quarte parti correspondentibus ut supra jacentis memoratis Willielmo Cunyngham et Mariote Cumyng conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundorum eorundem respective illis personaliter presentibus et manibus junctis pro se suisque heredibus et assignatis quibuscunque acceptantibus traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu ut premittitur deliberavit secundum formam et tenorem dicte resignationis prescripte Tenende de dicto S. D. N. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum In super dictus Robertus in presentia dicti ballivi sese suosque heredes successores et assignatos dictam quartam partem predictorum duorum tenementorum dictis conjugibus eorumque prescriptis ab omnibus wardis releviis non introitibus dominarum tertiis conjunctis infeodationibus vitalibus et annuis redditibus fundi annuis redditibus preteritis inhibitionibus interdictionibus evictionibus appretiationibus privatis et publicis sasinis aliisque prioribus alienationibus resignationibus et dispositionibus ac ab omnibus aliis periculis damnis et inconvenientiis quibuscunque tam non nominatis quam nominatis quibus dicti conjuges suive predicti in pacifica fruitione et gavisione ejusdem impediri poterint contra omnes mortales warrantizare acquietare et imperpetuum defendere stricte et firmiter astrixit et obligavit cuique warrantizationis clause prefatus ballivus ad requestum speciale dicti obligantis suum decretum judiciale et auctoritatem interposuit ordinans eandem vim et effectum sui auctoritatis decretique judicialis omnibus temporibus futuris habere et executoriales

necessarias desuper sequi prout de jure congruit Super quibus omnibus et singulis premissis prefatus Willielmus ejusque sponsa predicta ac eorum quilibet pro se metipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda dictorum duorum tenementorum respective prescriptorum singulatim et successive per se horam circiter octavam antemeridiam aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Davide Tueidy juniore ephippiario, Eduardo Cawane burgensibus de Irwing Joanne Giffyne seniore et Willielmo Steinsoun serjiando cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR WILLIAM CUNYNGHAME, SAILOR, AND MARION CUMYNG
HIS SPOUSE.

Instrument narrating that a prudent man, Robert Cunynghame, elder, merchant, burgess of Irvine, compeared personally on the ground of those two tenements of land belonging to him heritably, lying together and contiguously within the burgh of Irvine, on the east side of the High Street thereof, between the tenement of Alexander Patoun on the north and the tenement of David Dickie on the south; and there the said Robert, for certain sums of money paid to him beforehand by a prudent man, William Cunynghame, sailor, burgess of the said burgh, and Marion Cumyng his spouse, did purely and simply resign, renounce, and overgive, all and whole the just fourth part of his said two tenements of land, with yards, etc., in the hands of an honourable man, Adam Cunynghame, one of the bailies of Irvine, in favour of, and for this new seizin to be given to the said William Cunynghame and Marion his spouse, and the survivor of them in conjunct fee, and the heirs of their marriage, heritably and irredeemably: Whereupon the said bailie, in virtue of his office, and by the special mandate of the resigner, did with his own hands give state and heritable seizin of the said fourth part of the two tenements aforesaid, by delivery of earth and stone of the grounds thereof respectively, to the said William, and Marion his spouse, who were personally present and received the same with their hands joined together: Done upon the grounds of the

said tenements of land respectively, singly and successively, about the eighth hour before noon of the 5th day of October 1616, the witnesses present being David Tueidy, younger, saddler, Edward Cawane, burgesses of Irvine, John Giffyne, elder, William Steinsoun, serjeant, etc.

LXVII.—PRO JONETA WILSOUN, JACOBO BLAIR ET EJUS
SPONSA, Etc.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Octobris die octavo regnorumque S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quarto In mei notarii publici et testium subscriptorum presentiis personaliter constitutus honorabilis vir Joannis Blair unus ballivorum burgi de Irwing Quia sibi clare constabat et notum fuit per autentica documenta et sasine instrumenta publice sibi ostensa perlecta et demonstrata quod quondam Joannes Wilsoun nauclerus burgensis dicti burgi pater Jonete Wilsoun latricis presentium obiit ultimo vestitus et sasitus ut de feodo ad pacem et fidem dicti S. D. N. regis in toto et integro illo tenemento terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis jacente infra burgum de Irwing ex occidentali latere vie regie ejusdem inter tenementum Thome Inglis de Corsflatt burgensis de Paislay ex boreali et tenementum nunc heredum quondam Hugonis Garven communis scribe burgi de Irwing ex australi partibus ab una et aliis Et quod dicta Joneta est sola filia legitima et propinquior heres dicti quondam Joannis sui patris de predicto tenemento terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis ut supra jacente Et quod est legitime etatis Et quod predictum tenementum cum pertinentiis de prefato S. D. N. rege tenetur in capite more burgali Propterea prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actuaalem et realem Totius et integri predicti tenementi terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis ut supra jacente memorate Jonete Wilsoun tanquam sole filie legitime et propinquiori heredi antedictae quondam Joannis sui patris per terre et lapidis fundi ejusdem illi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit

tradidit pariter et cum effectu hereditarie secundum tenorem infeofamentorum dicti quondam Joannis sui patris que de eisdem inde habet deliberavit salvo jure cujuslibet Tenendi de prefato S. D. N. rege suisque successoribus more burgali Quibus peractis prefata Joneta Wilsoun non vi aut metu ducta nec errore lapsa fraude nec dolo aliquo circumventa sed sua mera libera et spontanea voluntate pro summa ducentum librarum usualis monete huius regni Scotie sibi premanibus discreti viri Jacobi Blair mercatoris burgensis dicti burgi et Susanne Scott ejus sponse tempore presentium confectionis in pecunia munerata plenarie et integre persoluta de quaquidem pecuniarum summa tenuit se bene contentam dictosque conjuges eorumque heredes et assignatos de eadem exoneravit et quieteclamavit imperpetuum plenarie per huius presentis instrumenti tenorem imperpetuum totum et integrum predictum suum tenementum terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis ut supra jacens cum expressis avisamento consensu et assensu Andree Tran novissimi ballivi dicti burgi et Joannis Wilsoun nuncii specialium suorum amicorum et administratorum In manibus prefati Joannis Blair ballivi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit unacum omnibus jure titulo et interesse sibi suisque heredibus et assignatis in et ad eandem competentibus In favores prefatorum Jacobi Blair et Susanne Scott ejus sponse suorumque heredum et assignatorum ac pro hac nova sasina et infeodatione hereditarie per dictum ballivum illis eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis quibus deficientibus legitimis et propinquioribus heredibus et assignatis dicti Jacobi quibuscunque hereditarie et irredimabiliter absque aliqua reversione redemptione seu regressu in debita et competenti forma prout congruit danda et conficienda Qua resignatione sic ut premittitur facta debite rite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii necnon de mandato speciali dicti resignantis propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualement et realem Totius et integri predicti tenementi terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis ut supra jacentis memoratis Jacobo Blair et Susanne Scott conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi ejusdem illis personaliter presentibus et manibus junctis acceptantibus traditionem et deliberationem

dedit tradidit pariter et cum effectu hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu ut predicatur deliberavit secundum formam et tenorem dicte resignationis prescripte litereque dispositionis eo circa hodie die conficiende Tenendi de prefato S. D. N. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefata Joneta Wilsoun pro se metipsa necnon prefati Jacobus Blair et Susanna Scott conjuges ac eorum quilibet pro se metipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi horam circiter octavam mane aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Jacobo Quhyt et Willielmo Cunynghame mercatoribus burgensibus de Irwing Joanne Bryding incola ibidem et Willielmo Stevinsoun serjiando cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR JONET WILSOON, JAMES BLAIR AND HIS SPOUSE, Etc.

Instrument narrating that in presence of the notary public and witnesses there compeared personally an honourable man, John Blair, one of the bailies of the burgh of Irvine; and whereas it was clearly manifest and known to him by authentic documents and instruments of seizin, publicly shewn to him and read, that the late John Wilsoun, shipmaster, burgess of Irvine, father of Jonet Wilsoun, bearer of these presents, died last vest and seized as of fee at the peace and faith of our sovereign lord the king, in all and whole that tenement of land, fore and back, below and above, with yard, tailing rig, etc., lying in the burgh of Irvine, on the west side of the High Street thereof, between the tenement of Thomas Inglis of Corsflatt, burgess of Paisley, on the north, and the tenement now of the heirs of the late Hugh Garven, common clerk of the burgh of Irvine, on the south; and that the said Jonet is only lawful daughter and nearest heir of the said John Wilsoun, of the said tenement of land, yard, and rig; and that she is of lawful age; and that the aforesaid tenement, etc., is held of the king in chief, in burghal manner: Wherefore the said John Blair, bailie,

by virtue of his office, with his own hands gave state and heritable seizin of the said subjects to the aforesaid Jonet Wilsoun, as heir to her father, by delivery to her of earth and stone of the ground of the same, according to the tenor of the infestments of her father, which he had thereof: Which things having been done, the said Jonet Wilsoun, of her own free will, and for the sum of two hundred pounds usual money of the kingdom of Scotland, paid to her beforehand by a discreet man, James Blair, merchant, burgess of Irvine, and Susanna Scott his spouse, and with the express advice, consent, and assent of Andrew Tran, late bailie of the said burgh, and John Wilsoun, messenger, her special friends and administrators, did purely and simply resign the aforesaid tenement of land, with yard, tailing rig, etc., in the hands of the aforesaid bailie, in favour of, and for this new seizin and heritable infestment to be given to the aforesaid James Blair and Susanna his spouse, in conjunct fee, and to the heirs procreated or to be procreated between them, which failing to the heirs whatsoever of the said James, heritably and irredeemably, without reversion: Which resignation so made being admitted and received by the said bailie, he gave seizin in terms thereof to the said James Blair and Susanna Scott his spouse, who were personally present and received the symbols with their hands joined together: Done upon the ground of the said tenement, about the eighth hour of the morning of the 8th day of October 1616, the witnesses present being James Quhyte and William Cunynghame, merchants, burgesses of Irvine, John Bryding, indweller there, and William Stevinsoun, serjeant, with several other witnesses called and required to the premises.

LXVIII.—PRO BESSETA TRAN, SPONSA MATHEI HOMMILL.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Octobris die decimo septimo regnorumque S. D. N. Jacobi Dei gratia Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quarto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit providus vir Matheus Hommill burgensis burgi de Irwing super solum et fundum illius tenementi terre subscripti sibi hereditarie pertinentis jacentis infra burgum de Irwing versus crucem foralem ejusdem ex occidentali latere vie regie ejusdem quondam ad Joannem Hervie mercatorum pertinentis

jacentis inter tenementum ——— ex ——— et tenementum ——— ex ——— partibus ab una et aliis Et ibidem dictus Matheus pro singularibus amore gratia et favore quas erga dilectam suam sponsam Bessetam Tran habet et gerit necnon pro impletione ejus partis cujusdam contractus matrimonialis initi et confecti inter eum dictamque suam sponsam Totum et integrum predictum suum tenementum terre ante et retro subtus et supra cum singulis suis pertinentiis ut supra jacens In manibus honorabilis viri Joannis Blair unius ballivorum dicti burgi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum Unacum omnibus jure titulo interesse et jurisclameo sibi in et ad eundem competentibus In favorem prefate Bessete Tran sue sponse ac pro hac nova sasina et infeodatione ejusdem dicte sue sponse in vitali redditu pro omnibus sue vite diebus per dictum ballivum in debita et competenti forma prout congruit danda et conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii et de mandato speciale dicti resignantis propriis suis manibus statum et sasinam vitalis redditus pariter et possessionem corporalem actualem et realem Totius et integri predicti tenementi terre ante et retro subtus et supra cum singulis suis pertinentiis ut supra jacentis memorate Bessete Tran in vitali redditu pro omnibus sue vite diebus per terre et lapidis fundi ejusdem dicte Bessete personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu secundum formam et tenorem dicte resignationis ac contractus matrimonialis prescriptarum Tenendi de dicto S. D. N. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefata Besseta a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi horam circiter nonam antemeridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Archibaldo Georg urbis prefecto Andrea Tran et Alexandro Cunynghame juniore mercatoribus burgensibus de Irwing Niniano Garven filio legitimo quondam Hugonis Garven communis scribe burgi de Irwing et Willielmo Stevinsoun serjiando testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR BESSIE TRAN, SPOUSE OF MATHEW HOMMILL.

Instrument narrating that a prudent man, Mathew Hommill, burgess of Irvine, compeared personally on the ground of that tenement of land belonging heritably to him, lying within the burgh of Irvine, towards the market-cross thereof, on the west side of the High Street, pertaining to the late John Hervie, merchant, lying between the tenements of ——— on the one side and the other: And there, the said Mathew, for the singular love, grace, and favour which he had towards his beloved spouse, Bessie Tran, and for the fulfilment of his part of the marriage-contract made between him and her, did purely and simply resign the said tenement in the hands of John Blair, one of the bailies of Irvine, who thereupon gave state and seizin of the same to the said Bessie Tran in liferent, by delivery to her of earth and stone of the ground thereof: To be holden of the king burgage, for the usual fermes and duties: Done upon the ground of the said tenement, about the ninth hour before noon of the 7th day of October 1616, the witnesses being Archibald George, provost, Andrew Tran and Alexander Cunynghame, younger, burgesses, Ninian Garven, son of the late Hugh Garven, common clerk of the said burgh, and William Stevinson, serjeant.

LXIX.—PRO WILLIELMO HOMMILL, Etc.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Octobris die decimo septimo regnorumque S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quarto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit providus vir Matheus Hommill mercator burgensis burgi de Irwing super solum et fundum illius sui tenementi terre subscripti jacentis infra burgum de Irwing versus crucem foralem ejusdem ex occidentali latere communis vie regie ejusdem inter tenementum ——— ex ——— et tenementum ——— ex ——— partibus ab una et aliis perprius ad Joannem Hervie mercatorem burgensem etiam dicti burgi pertinentiis Et

ibidem dictus Matheus pro singularibus amore gratia et favore quos erga dilectum suum filium secundo genitum Willielmum Hommill habet et gerit necnon pro diversis aliis bonis et rationabilibus causis et considerationibus eum ad hoc moventibus Totum et integrum predictum suum tenementum terre ante et retro subtus et supra cum singulis suis pertinentiis ut supra jacens unacum omnibus jure titulo interesse juris clameo proprietate et possessione sibi suisque heredibus et assignatis in et ad eundem competentibus In manibus honorabilis viri Joannis Blair unius ballivorum dicti burgi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum In favorem prefati Willielmi Hommill sui filii suorumque heredum et assignatorum subscriptorum ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum illi heredibus de corpore suo legitime procreandis quibus deficientibus heredibus et assignatis dicti Mathei quibuscunque de toto et integro predicto tenemento cum pertinentiis in debita et competenti forma prout congruit danda et conficienda Reservatis tamen liberis tenementis et vitalibus redditibus dicti Mathei ipsius necnon Bessete Tran sue conjugis pro omnibus eorum eorumque alteri diutius viventi vite diebus Proviso tamen quod non obstante hujus presentis infeodationis licitum erit dicto Matheo in sua propria vita tantumodo (omnibus aliis ab hujusmodi faciendo penitus seclusis) redimere et relaxare totum et integrum predictum tenementum cum pertinentiis a prefato Willielmo suo filio suisque prescriptis per solutionem illis unius corone auri vulgo lie crown of gold super quemvis diem immediate precedentem festum Penthecostis aut Sancti Martini vulgo lie Witsounevin or Mertinmesevin in quocunque anno futuro infra ecclesiam parochialem de Irwing inter solis ortum et occasum premonitione illi suisve prescriptis legitime per spatium quadraginta dierum personaliter aut apud suorum domum habitationis in presentia notarii et testium prout congruit facta Et casu absencie aut recusationis per consignationem ejusdem in manibus prepositi aut unius ballivorum dicti burgi Quo facto dictum tenementum cum pertinentiis omnibus temporibus imposterum legitime redemptum et relaxatum reputabitur et existimabitur dictusque Matheus suisque heredes et assignati in et ad eundem plenum et liberum ingressum regressum et accessum habebunt et hoc presens infeofamentum tunc nullius erit roboris valoris efficacie nec effectus Et proviso quod presens hec clausula et provisio reversionis prescripte tam valida et sufficiens erit pro dicti tenementi redemptione ac si particularis reversio per se facta subscripta

et sigillata fuisset secundum acti Parliamenti tenorem Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii necnon de mandato dicti resignantis propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem Totius et integri predicti tenementi terre ante et retro subtus et supra cum singulis suis pertinentiis ut supra jacentis memorato Willielmo Hommill per terre et lapidis fundi ejusdem provide viro Alexandro Cunynghame seniori tanquam actornato et eo nomine dicti Willielmi traditionem et deliberationem dedit tradidit et deliberavit secundum formam et tenorem dicte resignationis ac sub reservationibus et reversionum conditionibus particulariter supra expressis Tenendi de dicto S. D. N. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus Alexander Cunyngham actornatus antedictus et eo nomine quo supra a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum fundum dicti tenementi horam circiter nonam mane aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Andrea Tran et Alexandro Cunyngham juniore mercatoribus burgensibus dicti burgi Niniano Garven filio legitimo quondam Hugonis Garven communis scribe burgi de Irwing et Willielmo Stevinsoun serjiando cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR WILLIAM HOMMILL, Etc.

Instrument narrating that a prudent man, Mathew Hommill, merchant, burgess of Irvine, personally compeared upon the ground of his tenement of land lying within the said burgh, towards the market-cross thereof, on the west side of the common highway of the same, formerly belonging to John Hervie, merchant, burgess of the said burgh; and there, for the love, grace, and favour which he had towards his second son, William Hommill, and for divers other good and reasonable causes moving him thereto, the said Mathew did purely and simply resign the aforesaid tenement in the

hands of an honourable man, John Blair, one of the bailies of the said burgh, in favour of the said William, and for this new infeftment to be given to him, and the heirs of his body to be lawfully procreated, which failing, to the heirs and assignees of the said Mathew; reserving, however, to him and Bessie Tran his spouse, their back tenement, and liferent of the said tenement; providing, however, that notwithstanding this infeftment, it shall be lawful to the said Mathew, in his own lifetime only, to redeem the said tenement from his said son by payment to him of one crown of gold, upon any Whitsunday even or Martinmas even, in the parish church of Irvine, between the rising and setting of the sun, premonition having been lawfully made to him personally, or at his dwelling-house, by the space of forty days before, in presence of a notary and witnesses, and in case of his absence or refusal, by consignation thereof in the hands of the provost, or of one of the bailies of the said burgh, upon which the said tenement shall be judged in all time thereafter to be lawfully redeemed, and the said Mathew and his heirs shall have full and free regress thereto, this present infeftment being then no longer of any force or effect: Which resignation having been so made, and received by the bailie aforesaid, he gave seizin accordingly, by delivery of earth and stone, to a prudent man, Alexander Cunynghame, elder, as attorney and in name of the said William: Done upon the ground of the said tenement about the ninth hour of the morning of the 17th day of October 1616, the witnesses being Andrew Tran and Alexander Cunynghame, younger, merchants, burgesses, Ninian Garven, son of the late Hugh Garven, common clerk of the burgh of Irvine, and William Stevinson, serjeant.

LXX.—PRO WILLIELMO RANDELL.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Octobris die decimo nono regnorum-que S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quarto In mei notarii publici et testium subscriptorum presentiis personaliter constitutus honorabilis vir Joannes Blair unius ballivorum burgi de Irwing Quia sibi clare constabat et notum fuit per autentica documenta et sasine instrumenta publice sibi ostensa perlecta et demonstrata quod quondam

Willielmus Randell servitor Thome Foullis fabri aurarii patruus Willielmi Randel latoris presentium obiit ultimo vestitus et sasitus ut de feodo ad pacem et fidem dicti S. D. N. regis in toto et integro illo tenemento terre ante et retro subtus et supra cum horto et singulis suis pertinentiis ejusdem inde sequente jacente infra dictum burgum in via ecclesiastica ejusdem inter tenementum quondam Wynnini Raynkein postea Eduardi Cawane nunc vero ——— ex orientali et tenementum quondam Joannis Tueidy nunc vero Jacobi Cunyngham ex occidentali partibus ab una et aliis Et quod dictus Willielmus Randel est legitimus et propinquior heres ejusdem quondam Willielmi Randel sui patroi de dicto tenemento ante et retro subtus et supra cum horto et pertinentiis Et quod est legitime etatis Et quod dictum tenementum de prefato S. D. N. rege tenetur in capite more burgali Propterea prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem Totius et integri predicti tenementi terre ante et retro subtus et supra cum horto ejusdem et singulis suis pertinentiis ut supra jacentis memorato Willielmo Randell tanquam legitimo et propinquiori heredi antedicti quondam Willielmi sui patroi per terre et lapidis fundi ejusdem sibi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie investivit secundum tenorem infeofamenti dicti quondam sui patroi que de eisdem inde habet (Salvo jure cujuslibet) Tenendi de dicto S. D. N. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum super quibus omnibus et singulis premissis prefatus Willielmus a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum fundum dicti tenementi horam circiter terciam post meridiem aut eo circa Sub anno die mense regnisque regis quibus supra presentibus ibidem Willielmo Caulduell de Annanhill clerico balliatus de Cunyngham Andrea Tran mercatore Joanne Neilsoun notario Joanne Hillhous mercatore et Thoma Randell burgensibus de Irwing et Willielmo Stevinsoun serjiando testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

PROTESTATIO.

Eodem die anno loco et hora prescriptis coram ballivo et
testibus suprascriptis :—

Compeirit Laurence Randel baxter and protestit that the instrument of seaseing abonewritten givin this day to William Randell be nowayes prejudiciall to ony richt he can accleame to the said tenement as air to the said umquhil William Randell bot that he may have alwayes place to quarrell and impung the samin as accordis of the law Quhilk protestatioun the said Johne Blair admitted, and thairon the said Laurence askit act in the hand of me notar above and undersubscryvand.

R. BROUN.

ABSTRACT.

FOR WILLIAM RANDELL.

Instrument narrating that an honourable man, John Blair, one of the bailies of Irvine, personally compeared in presence of the notary and witnesses, and because it clearly appeared to him, by authentic documents publicly shown and read to him, that the late William Randell, servitor to Thomas Foullis, goldsmith, uncle of William Randel then present, died last vest and seized as of fee, at the peace and faith of the king, in that tenement of land, with yard and sundry pertinents, lying within the said burgh, in the Kirkgate thereof, between the tenement of the late Wynnin Ranken, afterwards of Edward Cawane, but now of ———, on the east, and the tenement of the late John Tueidy, but now of James Cunyngham, on the west ; and that the said William is lawful and nearest heir of his said deceased uncle, of the said tenement, yard, etc., and that he is of lawful age ; and that the said tenement is held of the king in chief, in burgage manner : therefore the bailie aforesaid, in virtue of his office, and with his own hands, gave heritable seizin of the same to the aforesaid William Randell, who was personally present : Done upon the ground of the said tenement about the third hour after noon of the 19th day of October 1616, before witnesses, namely, William Cauldwell of Annanhill, clerk of the bailiery of Cunyngham, Andrew Tran, merchant,

John Neilsoun, notary, John Hilhous, merchant, and Thomas Randell, burgesses of Irvine, and William Stevinsoun, serjeant.

[*There follows a Protest in the vernacular by Laurence Randell, baker.*]

LXXI.—PRO MARGARETA RAYNKINE.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Octobris die decimo nono regnorum-que S. D. N. Jacobi die gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quarto In mei notarii publici et testium subscriptorum presentiis personaliter constitutus providus adolescens Willielmus Randel filius legitimus quondam Petri Randell burgensis burgi de Irwing accessit super solum et fundum illius tenementi terre subscripti in quo debite infeodatus existit tanquam legitimus et propinquior heres quondam Willielmi Randel sui patruj jacentis infra burgum de Irwing in via ecclesiastica ejusdem inter tenementum quondam Wynnini Raynkyn nunc vero ——— ex orientali et tenementum quondam Joannis Tueidy nunc vero Jacobi Cunyngham ex occidentali partibus ab una et aliis Et ibidem dictus Willielmus non vi aut metu ductus nec errore lapsus fraude nec dolo aliquo circumventus sed sua mera pura libera et spontanea voluntate pro singularibus amore gratia et favore quos habet et gerit erga discretam mulierem Margaretam Raynkeine ejus matrem ac pro diversis aliis rationabilibus causis et considerationibus eum ad hoc moventibus Totas et integras illas duas suas domos posteriores jacentes in fine aree dicti tenementi unacum equali dimedietate horti dicto tenemento adjacentis necnon illam anteriorem botham sive officinam prope januam dicte aree dicti tenementi In manibus honorabilis viri Joannis Blair unius ballivorum dicti burgi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit In favorem predictae Margarete Raynkeine sue matris ac pro hac nova sasina et infeodatione per dictum ballivum sibi dicte Margarete in vitali reddito pro omnibus sue vite diebus in debita et competenti forma prout congruit danda et conficienda Qua resignatione sic ut premittitur facta debite rite et legitime per dictum ballivum admissa et recepta prefatus Joannis Blair ballivus antedictus

virtute et vigore sui officii necnon de mandato dicti resignantis propriis suis manibus statum et sasinam vitalis redditus pariter et possessionem corporalem actuaalem et realem Totarum et integrarum predictarum duarum domorum in fine aree dicti tenementi jacentium equalis dimedietatis horti prescripti et anterioris bothe sive officine prescripte memorate Margarete Raynkin in vitali redditu pro omnibus sue vite diebus per terre et lapidis fundorum earundem dicte Margarete personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit et deliberavit secundum formam et tenorem dicte resignationis prescripte Tenendarum de dicto S. D. N. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefata Margareta Raynkeine a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda dictarum domorum horti et bothe prescripte horam circiter terciam post meridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Joanne Neilsoun notario Joanne Hilhous mercatore Joanne Young officario templario et Thoma Randell burgensibus de Irwing et Willielmo Stevinsoun serjiando testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR MARGARET RANKINE.

Instrument narrating that a prudent young man, William Randell, son of the late Peter Randell, burgess of Irvine, compeared personally, and went upon the ground of that tenement, in which he stood duly infeft as heir of the late William Randell his uncle, lying within the burgh of Irvine, in the Kirkgate thereof, between the tenement of the late Wynnin Rankyn, but now of ———, on the east, and the tenement of the late John Tueidy, now of James Cunyngham, on the west; and there the said William, for the love, grace, and favour which he had towards a discreet woman, Margaret Rankine his mother, did freely resign these his two back houses, lying in the end of the area of the said tenement, with the half of the yard adjacent thereto, also that fore booth or shop near the gate of the said area, in the hands of an honourable man, John Blair, one of the bailies of

the said burgh, in favour of the said Margaret, and for this new seizin of the same to be given to her in liferent, which was accordingly given to her, personally present and receiving the same, by the said bailie, in the usual manner: Done on the ground aforesaid about the third hour after noon of the 19th day of October 1616, the witnesses being John Neilsoun, notary, John Hilhous, merchant, John Young, kirk officer, and Thomas Randell, burgess of Irvine, and William Stevinsoun, serjeant.

LXXII.—PRO JOANNE KER IN TOUNEND, EJUSQUE SPONSA
AC FILIO.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Octobris die vigesimo quinto regnorumque S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quarto In mei notarii publici et testium subscriptorum presentis personaliter constitutus honorabilis vir Joannes Blair unius ballivorum burgi de Irwein Quia sibi clare constabat et notum fuit per autentica documenta et sasine instrumenta publice sibi ostensa perlecta et demonstrata quod quondam Joannes Ker pater Joannis Ker in Tounend latoris presentium obiit ultimo vestitus et sasitus ut de feodo ad pacem et fidem S. D. N. regis in toto et integro illo tenemento terre ante et retro cum pertinentiis jacente infra dictum burgum de Irwing in monte arenoso ejusdem perprius ad quondam Andream Wyllok et quondam Jonetam Legat ejus sponsam pertinente jacente inter tenementum quondam Joannis Burne ex boreali et tenementum quondam Gillechristi M'Wdreit ex australi partibus ab una et aliis Et quod dictus Joannes est legitimus et propinquior heres ejusdem quondam Joannis sui patris de predicto tenemento terre ante et retro cum pertinentiis Et quod est legitime etatis Et quod de prefato S. D. N. rege tenetur in capite more burgali Propterea prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii personaliter super fundum dicti tenementi existens propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actuaalem et realem totius et integri predicti tenementi terre ante et retro cum singulis suis pertinentiis ut supra jacentis memorato Joanni Ker tanquam filio legitimo et propinquiori heredi antedicti quondam sui patris per terre et lapidis fundi ejusdem ut moris est illi personaliter

presenti et acceptanti traditionem et deliberationem dedit tradidit et deliberavit secundum formam et tenorem infeofamentorum dicti quondam sui patris ejusdem (salvo jure cujuslibet) Tenendi de dicto S. D. N. rege more burgali. Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Quibus peractis prefatus Joannes Ker pro singularibus amore gratia et favore quos erga dilectam suam sponsam et ——— Patoun et Joannem Ker eorum legitimum filium habet et gerit Totum et integrum predictum suum tenementum terre ante et retro cum singulis suis pertinentiis ut supra jacens necnon totum et integrum aliud ejus tenementum jacens in dicto burgo inter predictum suum tenementum ex australi et tenementum Andree Miller ex boreali partibus ab una et aliis perprieus ad quondam Hugonem Parker pertinens In manibus predicti ballivi super sola et funda predictorum duorum tenementorum respective existens sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit unacum omnibus jure titulo et interesse sibi in et ad eadem competentibus In favorem sui ipsius dicti Joannis dicteque sue sponse ac filii predicti ac pro hac nova sasina et infeodatione per dictum ballivum dicto Joanni sueque sponse predicte eorumque alteri diutius viventi in vitali redditu pro omnibus eorum eorumque alteri diutius viventi vite diebus dictoque Joanni Ker eorum filio heredibus suis et assignatis quibuscunque in feodo hereditarie de totis et integris predictis duobus ejus tenementis terre ante et retro cum hortis et singulis suis pertinentiis ut supra jacentibus in debita et competenti forma prout congruit danda et conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Joannis Blair ballivus antedictus virtute et vigore sui officii ac de mandato speciale dicti resignantis propriis suis manibus statum et sasinam vitalem pariter et possessionem corporalem actualem et realem Totorum et integrorum predictorum duorum tenementorum terre ante et retro cum singulis suis pertinentiis ut supra jacentium memoratis Joanni Ker et dicte ——— ejus sponse eorumque alteri diutius viventi in vitali redditu pro omnibus ipsorum vite diebus necnon statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem eorundem memorato Joanni Ker eorum filio in feodo hereditarie per terre et lapidis fundorum eorundem illis omnibus personaliter presentibus et acceptantibus traditionem et deliberationem dedit tradidit et deliberavit secundum formam et tenorem dicte resignationis prescripte Tenendorum de dicto

S. D. N. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefati Joannes Ker ejusque sponsa ac filius predictus ac eorum quilibet pro se metipsis a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda dictorum duorum tenementorum terre respective prescriptorum horam circiter decimam antemeridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Jacobo Scott custumario Davido Speir seniore fullone burgensibus de Irwing Roberto Steuart de Neilsounsdyd Niniano Garven scriba et Roberto Peblis filio legitimo Joannis Peblis de Knogerhill testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR JOHN KER IN TOUNEND, AND HIS WIFE AND SON.

Instrument narrating that an honourable man, John Blair, one of the bailies of Irvine, compeared personally in presence of the notary and witnesses; and because it clearly appeared and was known to him, by authentic documents and instruments of seizin publicly shown and read to him, that the deceased John Ker, father of John Ker in Tounend, bearer of these presents, died last vest and seized as of fee, at the faith and peace of the king, in that tenement of land fore and back, lying within the said burgh, on the Sandhill of the same, formerly belonging to the late Andrew Wyllok and the late Jonet Legat his spouse, situated between the tenement of the late John Burn on the north, and the tenement of the late Gilchrist M'Udrait on the south; and that the said John is lawful and nearest heir of his said father in the said tenement; and that he is of lawful age; and that it is held of the king in chief in burgage-wise: therefore the aforesaid John Blair, bailie, in virtue of his office, and being personally upon the ground of the said tenement, did, with his own hands, give seizin thereof to the said John Ker, by delivery to him of the usual symbols: Which having been done, the said John Ker, for the singular love, grace, and favour which he had toward his beloved spouse ——— Patoun, and John Ker their lawful son, did resign the aforesaid tenement and also his

other tenement lying in the said burgh, between the aforesaid tenement on the south and that of Andrew Miller on the north, formerly belonging to the late Hugh Parker, in the hands of the said bailie, in favour of and for new infeftment thereof to be given to himself and spouse in liferent, and to their said son in fee, heritably, of the said two tenements of land, of which seizin was then given accordingly by the bailie, in the usual form: Done upon the ground of the said tenements, about the tenth hour before noon of the 25th day of October 1616, before witnesses, namely, James Scott, custumar, David Speir, elder, fuller, burgesses of Irvine, Robert Stewart of Neilsounsyde, Ninian Garven, clerk, and Robert Peiblis, son of John Peiblis of Knogerhill.

LXXIII.—PRO ALLANO DUNLOP ET SPONSA, ETC.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Novembris die quinto regnorumque S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quarto In mei notarii publici et testium subscriptorum presentis personaliter comparuit providus vir Robertus Cunynghame senior mercator burgensis burgi de Irwing super sola et funda ejus duorum tenementorum terre respective subscriptorum insimul et contigue infra dictum burgum jacentium ex orientali latere vie regie ejusdem inter tenementum Davidis Dickie ex ——— et tenementum Alexandri Patoun ex ——— partibus ubi una et aliis Et ibidem dictus Robertus non vi aut metu ductus nec errore lapsus fraude nec dolo aliquo circumventus sed sua mera libera et spontanea voluntate pro certis pecuniarum summis sibi tempore presentium confectionis per discretum virum Allanum Dunlop unum novissimorum ballivorum dicti burgi et Agnetam Cummyng ejus sponsam de quibus tenuit se bene contentum et placitum plenarie et integre persolutum dictosque conjuges eorumque heredes successores et assignatos de eisdem exoneravit et quieteclamavit plena per hujus presentis instrumenti tenorem imperpetuum ratione pure venditionis et alienationis per eum de tota et integra quarta parte predictorum suorum duorum tenementorum predictis conjugibus Totam et integram predictam quartam partem dictorum suorum duorum tenementorum insimul et contigue ut premittitur jacentium unacum omnibus

jure titulo et interesse sibi suisve heredibus et assignatis in et ad eandem competentibus In manibus honorabilis viri Joannis Blair unius ballivorum dicti burgi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum In favorem prefati Allani Dunlop et Agnetis Cummyng ejus sponse suorumque heredum et assignatorum ac pro hac nova sasina et infeodatione hereditaria ejusdem per dictum ballivum illis eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis quibus deficientibus (quod absit) dicto Allano suisque legitimis et propinquiorebus heredibus et assignatis quibuscunque hereditarie et irredimabiliter absque aliqua reversione redemptione seu regressu in debita et competenti forma prout congruit danda et conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii necnon de mandato speciale dicti resignantis propriis suis manibus statum et sasina hereditariam pariter et possessionem corporalem actuaalem et realem Totius et integre predictae quarte partis predictorum duorum tenementorum ante et retro cum singulis pertinentiis insimul et contigue ut premittitur jacentium memoratis Allano Dunlop et Agneti Cumyng conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundorum eorundem dicto Allano personaliter presenti et provido viro Willielmo Cauldwell de Annanhill tanquam vero certo et indubitato actornato et eo nomine dicte Agnetis traditionem et ut moris est deliberationem dedit tradidit pariter et cum effectu hereditarie et irredimabiliter absque aliqua reversione redemptione aut regressu secundum formam et tenorem dicte resignationis deliberavit Tenende de dicto S. D. N. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum In super dictus Robertus sese suosque heredes successores et assignatos dictam quartam partem predictorum duorum tenementorum cum singulis suis pertinentiis prefatis conjugibus eorumque prescriptis liberam et immunem esse ab omnibus et singulis wardis releviis non introitibus dominarum terciis conjunctis infeodationibus vitalibus redditibus annuis redditibus et fundi debitis preteritis prioribus alienationibus et dispositionibus privatis et publicis sasinis inhibitionibus interdictionibus evictionibus appretiationibus ac ab omnibus aliis periculis damnis et inconvenienciis quibuscunque preteritis presentibus et futuris

quibus dicti conjuges eorumve prescripti in pacifica frutione et gavisione dicte quarte partis impediri poterint contra omnes mortales warrantizare acquietare et imperpetuum defendere firmiter actitavit et obligavit cuique warrantizationis clausule prefatus Joannes Blair ballivus ad mandatum speciale dicti obligantis suum decretum judiciale et auctoritatem interposuit Ordinando eandem vim sui decreti judicialis omnibus temporibus futuris habere et executoriales necessarias desuper sequi prout congruit. Super quibus omnibus et singulis premissis prefatus Allanus Dunlop necnon dictus Willielmus Cauldwell actornatus antedictus et eo nomine dicte Agnetis quo supra a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda predictorum duorum tenementorum respective prescriptorum horam circiter primam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Adamo Cunyngham altero ballivorum dicti burgi Joanne Neilsoun notario et Thoma Randell burgensibus de Irwing et Willielmo Stevinsoun serjiando testibus ad premissa vocatis pariterque rogatis. R. BROUN.

ABSTRACT.

FOR ALLAN DUNLOP AND SPOUSE.

Instrument narrating that a prudent man, Robert Cunynghame, elder, merchant, burgess of Irvine, personally compeared upon the ground of his two tenements, lying together and contiguously within the said burgh, on the east side of the High Street thereof, between the tenement of David Dickie on the ——— and the tenement of Alexander Patoun on the ———, and there, of his own free will, for certain sums of money paid to him by a discreet man, Allan Dunlop, one of the last bailies of the said burgh, and Agnes Cumyng his spouse, did resign the fourth part of the said two tenements in the hands of an honourable man, John Blair, one of the bailies of Irvine, in favour of the said Allan Dunlop and Agnes Cumyng his spouse, their heirs and assignees, and for this new seizin and heritable infestment of the same to be given to them by the said bailie, in conjunct fee, and the heirs lawfully procreated or to be procreated between them, which failing, to the said Allan and his lawful and nearest heirs and assignees whatsoever, heritably and irredeemably :

Which resignation having been so made, and by the bailie admitted and received, he, in virtue of his office, and at the special mandate of the resigner, did with his own hands give seizin of the fourth part of the said two tenements, by delivery of earth and stone thereof to the said Allan, personally present, and to a prudent man, William Cauldwell of Annanhill, as attorney and in the name of the said Agnes: Done upon the ground of the said two tenements, about the first hour after noon of the 5th day of November 1616, before witnesses, namely, Adam Cunyngham, bailie of the said burgh, John Neilsoun, notary, and Thomas Randell, burgesses, and William Stevinsone, serjeant.

LXXIV.—PRO THOMA MURE ET SPONSA.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Novembris die penultimo regnorum-que S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quarto In mei notarii publici et testium subscriptorum presentis personaliter comparuit providus vir Thomas Mure naclerus.

ABSTRACT.

FOR THOMAS MURE AND SPOUSE.

Instrument narrating that on the 29th day of November 1616, in presence of the notary and witnesses, compeared personally a prudent man, Thomas Mure, shipmaster. [*The rest is wanting.*]

LXXV.—PRO DAVIDE BARCLAY

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Novembris die penultimo regnorum-que S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quarto In mei notarii publici et testium subscriptorum presentis personaliter constitutus providus

vir David Barclay filius legitimus natu maximus quondam Magistri Roberti Barclay de Brydskirk habens et tenens suis in manibus quoddam sasine preceptum de clare constat pergameno scriptum factum datum subscriptum et concessum per honorabilem virum Willielmum Barclay de Perstoun superiorem dictarum viginti solidatarum terrarum de Brydskirk pro infeofamento dicto Davidi suisque heredibus et assignatis quibuscunque earundem tanquam filio legitimo et propinquiore heredi dicti quondam Magistri Roberti sui patris tradendo Quodquidem sasine preceptum dictus David discreto viro Joanni Barclay sartori burgensi de Irwing ballivo in hac parte dicti Willielmi Barclay de Perstoun per dictum sasine preceptum specialiter constituto omni reverentia qua decuit presentavit eumque humiliter requirens quatenus hujusmodi sasine preceptum secundum ejusdem tenorem debite executioni poneret et demandaret Qui vero ballivus in hac parte antedictus dictum sasine preceptum de manibus dicti Davidis recepit mihi que notario publico subscripto perlegendum publicandum et in vulgari astantibus exponendum tradidit cujusquidem sasine precepti tenor sequitur verbatim et est talis Willielmus Barclay de Perstoun dominus superior terrarum subscriptarum dilectis meis Joanni Barclay sartori burgensi burgi de Irwing et vestrum cuilibet conjunctim et divisim ballivis meis in hac parte specialiter constitutis salutem Quia per autentica documenta et sasine instrumenta mihi publice ostensa perlecta et demonstrata clare constat et est notum quod quondam Magister Robertus Barclay de Brydskirk pater Davidis Barclay latoris presentium obiit ultimo vestitus et sasitus ut de feodo ad pacem et fidem S. D. N. regis in totis et integris viginti solidatis terrarum antiqui extentus de Brydskirk cum domibus edificiis hortis annexis connexis partibus pendiculis et singulis suis pertinentiis quibuscunque jacentibus in parochia de Irwing balliatu de Cunyngham et infra vicecomitatum de Air Et quod dictus David Barclay est legitimus et propinquior heres ejusdem quondam Magistri Roberti Barclay sui patris de dictis terris cum pertinentiis Et quod est legitime etatis Et quod de me tanquam domino superiore earundem tenentur in capite prout in dictis documentis et sasine instrumentis mihi desuper ostensis latius continetur Vobis igitur precipio et firmiter mando quatenus visis presentibus indilate statum et sasinam hereditariam pariter et possessionem corporalem actuaalem et realem Totarum et integrarum prefatarum viginti solidatarum terrarum antiqui extentus de Brydskirk cum domibus edificiis hortis annexis connexis partibus pendiculis et singulis

suis pertinentiis quibuscunque memorato Davide Barclay filio et heredi antedicto vel suo certo actornato latori presentium per terre et lapidis fundi ejusdem traditionem et deliberationem secundum tenorem antiquorum infeofamentorum dicti quondam sui patris que de eisdem inde habet juste tradatis deliberetis et haberi faciat sine dilatione (salvo jure cujuslibet) Et hoc nullo modo omittatis ad quod faciendum vobis et vestrum cuilibet conjunctim et divisim ballivis meis in hac parte antedictis meam plenariam et irrevocabilem tenore presentium committimus potestatem Reservato tamen libero tenemento seu vitali reddito dictarum terrarum cum pertinentiis Jeanne Barclay matri dicti Davidis pro omnibus sue vite diebus Ac proviso etiam quod hoc presens meum preceptum et infeofamentum dicto Davidi desuper concessurum nullum mihi meisque heredibus successoribus et assignatis prejudicium seu damnum inferat penes warrantizationis clausulas dictarum terrarum in favorem dicti quondam Magistri Roberti sui patris concesse per quondam Willielmum Barclay de Perstoun meum avum sed quod omnibus temporibus futuris obligabimur et astringemur dictas terras de Brydskirk cum pertinentiis a nostris propriis factis duntaxat warrantizare secundum tenorem cujusdam litere contractus inter me dictumque Davidem eo circa confecte de data apud burgum de Irwin decimo nono die mensis Octobris instantis et non alias aliter neque alio modo In cujus rei testimonium presentibus ex chyrographo Roberti Broun notarii publici manuque mea subscriptis sigillum meum proprium presentibus est appensum apud locum de Perstoun decimo nono die mensis Octobris anno domini millesimo sexcentesimo decimo sexto coram his testibus Davide Barclay de Ladyland Laurencio Scott avvocato Niniano Barclay meo fratre germano et dicto Roberto Broun sic subscribitur Wm. Barclay of Perstoun D. B. Ladyland witnes Laurence Scott witnes R. Broun witnes Post cujusquidem sasine precepti perlectionem publicationem et in vulgari astantibus expositionem prefatus Joannes Barclay ballivus in hac parte antedictus virtute et vigore sui officii balliatus sibi in hac parte commissi necnon de mandato speciale dicti precepti propriis suis manibus personaliter existens super fundum dictarum terrarum de Brydskirk statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem Totarum et integrarum prefatarum viginti solidatarum terrarum antiqui extentus de Brydskirk cum domibus edificiis hortis annexis connexis partibus pendiculis et singulis suis pertinentiis ut supra jacentium memorato Davidi Barclay tanquam filio legitimo et propinquiore heredi antedicti

quondam Magistri Roberti sui patris per terre et lapidis fundi ejusdem dicto Davidi personaliter presenti et acceptanti ut moris est traditionem et deliberationem secundum vim formam et tenorem antiquorum infeofamentorum dicti quondam sui patris ac sasine precepti prescripti (salvo jure cujuslibet) ac reservato libero tenemento seu vitali redditu dictarum terrarum dicte Jeanne Barclay sue matri pro omnibus sue vite diebus Ac sub provisionibus particulariter supra recitatis in dicto sasine precepto contentis dedit tradidit pariter et cum effectu deliberavit Super quibus omnibus et singulis premissis prefatus David Barclay a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dictarum viginti solidatarum terrarum de Brydskirk apud finem principalis horti ejusdem horam circiter terciam post meridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Davide Barclay de Ladyland Alexandro Montgomerie mercatore burgensi de Irwin Niniano Barclay mercatore burgensi de Edinburgh, Willielmo Dickie in Bourtriehill Willielmo Dickie ejus filio legitimo et Joanne Knok fabro ferrario in Brydskirk testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR DAVID BARCLAY.

Instrument narrating that a prudent man, David Barclay, eldest son of the late Mr. Robert Barclay of Brydskirk, compeared personally, having and holding in his hands a precept of seizin of *clare constat*, written on parchment, granted by an honourable man, William Barclay of Perstoun, superior of the lands of Brydskirk, which precept the said David with all due reverence presented to a discreet man, John Barclay, tailor, burgess of Irvine, as bailie in that part of the said William, specially constituted, humbly requiring him to put the same to due execution: The which precept the said bailie received from the hands of the said David, and delivered to the notary to be read, published, and explained in the vulgar tongue to the bystanders, which the notary accordingly did, the tenor being to the effect, that whereas it clearly appeared to the said William Barclay, superior, by authentic documents and instruments of seizin shown

to him, that the late Mr. Robert Barclay of Brydskirk, father of the said David, died last vest and seized as of fee, at the peace and faith of the king, in the twenty shilling lands of old extent of Brydskirk, with houses, etc., lying in the parish of Irvine, bailiery of Cunyngham, and sheriffdom of Ayr; and that the said David Barclay is lawful and nearest heir of his said father of these lands, and that he is of lawful age; and that the lands are held of the said William as lord superior of the same: therefore he charges the said bailie to give seizin thereof to the said David, reserving, however, the frank tenement and liferent of the said lands to Jean Barclay, mother of the said David; and providing also that the precept and the infetment to be granted thereupon should not infer any prejudice or damage to the granter and his heirs, anent the clauses of warrandice of the said lands granted to the said Mr. Robert by the late William Barclay of Perstoun, grandfather of the present superior, but that they should be bound to warrant the said lands from their own facts and deeds only, according to contract thereanent between the granter and the said David, of date at Irvine the 19th day of October instant: The precept is dated at the place of Perstoun, 19th day of October 1616, the witnesses being David Barclay of Ladyland, Laurence Scott, advocate, Ninian Barclay, the granter's brother-german, and Robert Broun, notary, and writer of the deed: Seizin follows thereon in the usual manner, and in terms of the precept: Done at the end of the principal yard of the lands of Brydskirk, on 29th November 1616, the witnesses being David Barclay of Ladyland, Alexander Montgomerie, merchant, burgess of Irvine, Ninian Barclay, merchant, burgess of Edinburgh, William Dickie in Bourtriehill, William Dickie his son, and John Knok, blacksmith in Brydskirk.

LXXVI.

Apud Brydskirk penultimo die mensis Novembris anno domini
millesimo sexcentesimo decimo sexto regnorumque S. D. N.
regis annis quinquagesimo et decimo quarto :—

The quhilk day, In presens of me notar publict and witnesses underwritten, compeirit personallie ane discreit man David Barclay, now of Brydskirk, and past to the personall presens of ane honorabill man William Barclay of Perstoun, and thair for divers gratitudis plesouris and guid

deids payit and done to him be the said William Barclay of Perstoun his superior of the saidis lands of Brydskirk and for divers utheris guid respectis causis and considderatiounes moveing him, resignit renuncit dischairgit surranderit and simpliciter upgaiv and ourgaiv fra him his aires successores and assignayes, be staff and bastoun as us is, all and hail his tuentie schilling land of auld extent of Brydskirk, with housis biggingis yards orcheardis annexis connexis partis pendicules and pertinentis thair of lyand within the parochin of Irwing bailliarie of Cunyngham and shirefdom of Air, quhairintill he is this day deulie and lauchfullie infest into as narrest and lauffull air to umquhil Mr. Robert Barclay of Brydskirk, togidder with all right titill of right cleame entres kyndnes propertie and possessioun the said David his aires executors successoris and assignayes had hes or in ony maner of way quhatsumevir nicht haif had ask cleam or pretend thairto or to ony part or portioun of the samin with the pertinentis In the handis of the said William Barclay of Perstoun as in the hands of his superioris of the samin, to the effect that the samin landis and utheris particuleris abon specifeit with the pertinentis may remane and abyd with him ad perpetuam remanentiam. Upoun the quhilkis all and sundrie premissis the said William Barclay of Perstoun askit instrumentis in the handis of me notar publict underwrittin Thir thingis were done upoun the grund of the said landis of Brydskirk about thrie houres efternoone or thairby in presens of David Barclay of Ladyland, Ninian Barclay, mercheand, burges of Edinburgh, Alexander Montgomerie, merchand, burges of Irwing, John Barclay, tailzeour, burges also of the samin burgh, William Dickie in Bourtrihill, William Dickie his son, and John Knok in Brydskirk, witnessis speciallie callit and requyrit to the premissis, day moneth yeir our soverane Lordis regne and place abonwrittin.

Ita est Robertus Broun notarius publicus in premissis specialiter requisitus Testantibus his meis signo et subscriptione manualibus.

[The above instrument is dated 29th November 1616, and is attested by the sign and subscription manual of Robert Broun, notary public in the premises, specially required.]

LXXVII.—PRO NINIANO BARCLAY, MERCATORE, BURGENSE DE
EDINBURGH.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Novembris die penultimo regnorum-que S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quarto In mei notarii publici et testium subscriptorum presentis personaliter constitutus providus vir Ninianus Barclay mercator burgensis burgi de Edinburgh habens et tenens suis in manibus quandam cartam preceptum sasine in se continentem factam datam et concessam per honorabilem virum Willielmum Barclay de Perstoun hereditarium proprietarium viginti solidatarum terrarum antiqui extentus de Brydskirk jacentium in parochia de Irwing balliatu de Cunynghame et infra vicecomitatum de Air cum expressis avisamento consensu et assensu Davidis Barclay filii legitimi et heredis quondam Magistri Roberti Barclay de Brydskirk pro omnibus jure et titulo sibi ad easdem terras seu aliquam earundem partem competentibus necnon dictum Willielmum et Davidem unanimi consensu et assensu dicto Niniano suisque heredibus et assignatis quibuscunque de omnibus et singulis predictis viginti solidatis terrarum antiqui extentus de Brydskirk cum domibus edificiis hortis annexis connexis partibus pendiculis et singulis suis pertinentiis Quamquidem cartam preceptum sasine in se continentem prefatus Ninianus Barclay discreto viro Joanni Barclay sartori burgensi burgi de Irwing ballivo in hac parte dictorum Willielmi et Davidis in dicto sasine precepto specialiter nominato et constituto presentavit et deliberavit eumque humiliter requirens dictum sasine preceptum debite executioni secundum ejusdem tenorem poneret et demandaret Qui vero ballivus in hac parte antedictus dictam cartam preceptum sasine in se continentem e manibus dicti Niniani recepit mihique notario publico subscripto perlegendum publicandum et in vulgari exponendum tradidit cujusquidem sasine precepti tenor sequitur verbatim et est talis In super dilectis nostris Joanni Barclay sartori burgensi burgi de Irwing et vestrum cuilibet conjunctim et divisim ballivis nostris in hac parte specialiter constitutis salutem vobis precipimus et firmiter mandamus quatenus visis presentibus indilate statum et sasinam hereditariam pariter et possessionem corporalem actua-

et realem Totarum et integrarum prefatarum viginti solidatarum terrarum antiqui extentus de Brydskirk cum domibus edificiis hortis annexis connexis partibus pendiculis et singulis suis pertinentiis quibuscunque ut premittitur jacentium memorato Niniano Barclay vel suo certo actornato latori presentium per terre et lapidis fundi earundem ut moris traditionem et deliberationem juste tradatis deliberetis et haberi faciatis sine dilatione et hoc nullo modo omittatis Ad quod faciendum vobis et vestrum cuilibet et conjunctim et divisim ballivis nostris in hac parte antedictus nostram plenaream et irrevocabilem tenore presentium committimus potestatem In cujus rei testimonium presentibus ex chyrographo Roberti Broun notarii publici ac communis scribe burghi de Irwing manibusque nostris subscriptis sigilla nostra propria presentibus sunt appensa Reservato tamen Jeanne Barclay relicte quondam Magistri Roberti Barclay de Brydskirk ac matri mei dicti Davidis suo libero tenemento sive vitali redditu predictarum terrarum pro omnibus sue vite diebus secundum tenorem dicte dispositionis litere Apud locum de Perstoun decimo nono die mensis Octobris anno domini millesimo sexcentesimo decimo sexto coram his testibus Davide Barclay de Ladyland Laurencio Scott avvocato et prefato Roberto Broun Sic subscribitur Williame Barclay of Perstoun David Barclay of Ladyland witnes Laurence Scott witnes R. Broun witnes Post cujusquidem carte preceptique sasine suprascripti in eadem contenti perlectionem publicationem et in vulgari astantibus expositionem prefatus Joannes Barclay ballivus in hac parte antedictus virtute et vigore sui officii ballivatus sibi in hac parte commissi necnon de mandato speciale dicti precepti propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totarum et integrarum prefatarum viginti solidatarum terrarum antiqui extentus de Brydskirk cum domibus edificiis hortis annexis connexis partibus pendiculis et singulis suis pertinentiis quibuscunque ut supra jacentium memorato Niniano Barclay personaliter presenti et acceptanti per terre et lapidis fundi earundem sibi ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu deliberavit Reservato libero tenemento sive vitali redditu dictarum terrarum cum pertinentiis prefate Jeanne Barclay matri dicti Davidis pro omnibus sue vite diebus secundum vim formam et tenorem dicte carte preceptique sasine suprascripti in eadem inserti Super quibus omnibus et singulis premissis prefatus Ninianus Barclay a me notario publico subscripto sibi fieri petiit hoc presens publicum instru-

mentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum apud finem horti principalis earundem horam circiter terciam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Davide Barclay de Ladyland Alexandro Montgomerie mercatore burgensi de Irwing Willielmo Dickie in Bourtrihill Willielmo Dickie ejus filio legitimo et Joanne Knok in Brydskirk cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

R. BROWN.

ABSTRACT.

FOR NINIAN BARCLAY, MERCHANT, BURGESS OF EDINBURGH.

Instrument narrating that a prudent man, Ninian Barclay, merchant, burgess of Edinburgh, personally compeared in presence of the notary and witnesses, having and holding in his hands a certain charter, containing a precept of seizin granted by an honourable man, William Barclay of Perstoun, heritable proprietor of the twenty shilling lands of old extent of Brydskirk, lying in the parish of Irvine, bailiery of Cunynghame, and within the sheriffdom of Ayr, with express advice, consent, and assent of David Barclay, son and heir of the late Mr. Robert Barclay of Brydskirk, to the said Ninian, his heirs and assignees, of all and sundry the aforesaid lands of Brydskirk, with houses, biggings, yards, etc., which charter the said Ninian presented and delivered to a discreet man, John Barclay, tailor, burgess of Irvine, as bailie in that part, of the said William and David, specially named and constituted in the said precept of seizin, humbly requiring him to put the same to due execution: And the bailie, having received the precept from the hands of the said Ninian, delivered the same to the notary, to be read, published, and expounded in the vulgar tongue; which having been done, the said bailie did with his own hands give state and heritable seizin, and likewise bodily, actual, and real possession of the said lands of Brydskirk, by delivery of earth and stone of the ground to the said Ninian Barclay, who was personally present and accepting thereof: Reserving, however, to Jean Barclay, relict of the said Mr. Robert, and mother of the said David, her liferent of the said lands: Done upon the ground at the end of the principal yard of the same, about the third hour after noon of the 29th day

of November 1616; witnesses, David Barclay of Ladyland, Alexander Montgomerie, merchant, burgess of Irvine, William Dickie in Bourtriehill, William Dickie his son, and John Knok in Brydskirk.

LXXVIII.—PRO JOANNE THOMSOUN,

Filio Legitimo STEPHANO THOMSOUN, in Tounheid, Langdreghorne.

Licet hic scribitur et ante sasinam Thome Mure inseri debuisset verifico premissa.

R. BROUN.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Novembris die octavo regnorumque S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quarto In mei notarii publici et testium subscriptorum presentis personaliter accessit honorabilis vir Adamus Cunynghame unus ballivorum burgi de Irwing super solum et fundum illius tenementi terre subscripti perprieus ad quondam Adamum Galt mercatorem burgensem dicti burgi pertinentis jacentis in dicto burgo de Irwing inter terras quondam Gavini Nasmith ex boreali et tenementum quondam Jacobi Stirling postea vero quondam Thome Hucheon nunc vero heredibus dicti quondam Thome ex australi partibus necnon super solum et fundum illarum quinque rodarum terrarum aut eo circa jacentium in dicto burgo super montem nuncupatum Gallowhill inter terras quondam Thome Cumyng ballivi ex boreali et terras quondam Roberti Tailzeour ex australi partibus ab una et aliis Et ibidem quia sibi clare constabat et notum fuit per autentica documenta et sasine instrumenta publice scripta ostensa perlecta et demonstrata quod dictus quondam Adamus Galt matruus Joannis Thomsoun latoris presentium filii legitimi natu maximi quondam ——— Galt unius ex duabus sororibus germanis dicti quondam Adami inter eam et Stephanum Thomsoun in Tounheid Langdreghorne ejus sponsum legitime procreatis obiit ultimo vestitus et sasitus ut de feodo ad pacem et fidem dicti S. D. N. regis in toto et integro predicto tenemento terre ante et retro cum horto aggere et ejusdem pertinentiis necnon in totis et integris predictis illis quinque rodis terrarum respective prescriptis jacentibus et bondatis ut predictum est Et quod dictus Joannes Thomsoun latore presentium est unus ex duabus legitimis et propinquioribus heredibus

portionariis dicti quondam Adami Galt sui matruī de predicto tenemento terre ante et retro cum horto aggere et suis pertinentiis et quinque rodīs terrarum cum pertinentiis ut predicatur jacente Et quod est legitime etatis Et quod eodem de predicto S. D. N. rege tenentur in capite more burgali Propterea prefatus Adamus Cunynghame ballivus antedictus virtute et vigore sui officii propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actuaalem et realem Totius et integre equalis dimedietatis predicti tenementi terre ante et retro horti et aggeris prescriptorum necnon totius et integre equalis dimedietatis predictarum quinque rodarum terrarum jacentium et limitatarum ut predicatur memorato Joanni Thomsoun filio legitimo natu maximo dicti quondam ——— Galt unius ex duabus sororibus germanis dicti quondam Adami prescriptis tanquam uni ex duabus heredibus portionariis dicti quondam Adami sui matruī per terre et lapidis fundorum eorundem respective et successive illi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie investivit secundum formam et tenorem infeofamentorum dicti quondam sui matruī que de eisdem inde habet (salvo jure cujuslibet) Tenendarum de dicto S. D. N. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum In super in presentia dicti ballivi personaliter comparuit Patricius Spark burgensis dicti burgi maritus ——— Galt alterius sororis germane ac heredis portionarii dicti quondam Adami Et ibidem sua libera et spontanea voluntate ad dictam sasinam et infeofamentum dicti Joannis sic ut premittitur concessam pro omnibus jure et titulo sibi sueque sponse predicto in et ad predictas dimidietates competentibus suum plenum consensum et assensum prestitit et fideliter sese obligavit in ejus contrarium penes infeofamentum supra scriptum nunquam devenire in judicio nec extra judicium ac presentem sasinam ratificavit et approbavit Super quibus omnibus et singulis premissis prefatus Joannes Thomsoun a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda dictorum tenementorum et terrarum respective prescriptorum horam circiter decimam antemeridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Allano Dunlop uno novissimorum ballivorum dicti burgi Willielmo Caulduell de Annanhill Adamo Fullartoun mercatore Joanne Neilsoun notario Niniano Garven scriba Joanne Galt in Fasyd Langdreghorne

Jacobo Galt in Newmyln ejus fratre germano Olivero Broun et Willielmo Stevinsoun serjiandis cum diversis aliis testibus ad premissa vocatis pariter-
que rogatis.
R. BROUN.

ABSTRACT.

FOR JOHN THOMSOUN, Etc.

[Allowed to be written here, but should have been inserted before the seizin of
Thomas Mure.]

Instrument narrating that an honourable man, Adam Cunynghame, one of the bailies of Irvine, personally went upon the ground of the tenement of land underwritten, which belonged before to the late Adam Galt, merchant, burgess of the said burgh, lying therein, between the lands of the deceased Gavin Nasmith on the north, and the tenement of the late James Stirling, but afterwards of the late Thomas Hucheoun, and now of his heirs, on the south; also, upon the ground of those five roods of land, or thereby, lying in the said burgh, on the Gallowhill, between the lands of the deceased Thomas Cumyng, bailie, on the north, and the lands of the deceased Robert Tailzeour on the south: And there, because it was clearly known to him, by authentic documents publicly shown and read, that the late Adam Galt, maternal uncle of John Thomsoun, eldest son of the late ——— Galt, one of the two sisters-german of the said Adam, begotten between her and Stephan Thomsoun in Tounheid, Langdreghorne, her spouse, died last vest and seized as of fee, at the peace and faith of the king, in all and whole the aforesaid tenement of land, with yard, tailing rig, etc., of the same; also, in all and whole the said five roods of land respectively beforewritten, lying and bounded as aforesaid; and that the said John Thomsoun is one of the two lawful and nearest heirs-portioners of the said Adam Galt, of the said tenement and roods; and that he is of lawful age; and that the same are held of our sovereign lord the king in burgage manner: Therefore the said Adam Cunynghame, bailie, by virtue of his office, did, with his own hands, give seizin of the equal half of the said tenement, yard, rig, and roods to the said John Thomsoun, there personally present and accepting of the same: Whereupon there compeared personally in presence of the bailie, Patrick Spark, burgess of the said burgh, husband of ——— Galt, the other sister-german and heir-portioner

of the said deceased Adam, and there, for all right competent to him and his spouse, did voluntarily give his full consent and assent to the said seizin and infeftment of the said John Thomsoun, and faithfully obliged himself never to come in the contrary thereof either in judgment or outwith the same : Whereupon the said John Thomsoun craved instruments, one or more : Done upon the grounds of the said tenement and lands respectively, about the tenth hour before noon of the 8th day of November 1616, before witnesses, namely, Allan Dunlop, one of the last bailies of the said burgh, William Cauldwell of Annanhill, Adam Fullertoun, merchant, John Neilsoun, notary, Ninian Garven, writer, John Galt in Fasyde, Langdregorne, James Galt in Newmylne, his brother-german, Oliver Brown and William Stevinsoun, serjeants.

LXXIX.—PRO GEORGIO HOMMILL, LANIONE, ET EJUS SPONSA.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo sexto mensis vero Decembris die septimo regnorumque S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quarto In mei notarii publici et testium subscriptorum presentis personaliter constitutus providus vir Robertus Kyle mercator burgensis burgi de Irwing accessit super solum et fundum illius ejus tenementi sive pecie terre sibi hereditarie spectantis jacentis infra territorium dicti burgi de Irwing inter viam communem sive passuagium qua itur ad viridarium ex boreali et Venellam sive cloacam vocatam vulgo lie Gruipe Gutter ex australi partibus ab una et aliis Et ibidem dictus Robertus pro certis pecuniarum summis sibi premanibus providi viri Georgii Hommill lanionis burgensis dicti burgi et Elspethe Gottray ejus sponse plenarie et integre tempore presentium confectionis gratanter et integre in pecunia numerata persolutis de quibus tenebat se bene contentum plenarie et integre persolutum dictosque conjuges eorumque heredes executores et assignatos de eisdem exoneravit et quieteclamavit per huius presentis instrumenti tenorem imperpetuum necnon pro observatione et impletione unius ejus partis cujusdam dispositionis litere per eum de dicto tenemento sive petia terre dictis conjugibus de date presentium confecte Totum et integrum predictum ejus tenementum

sive petiam terre jacens et bondatum ut premittitur In manibus honorabilis viri Joannis Blair unius ballivorum dicti 'burgi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum unacum omnibus jure juristitulo interesse jurisclameo proprietate et possessione tam petitorio quam possessorio que seu quas dictus Robertus suive heredes aut assignati in et ad eundem seu aliquam earundem partem habere clamare vel pretendere potuerant omnino quieteclamavit imperpetuum In favores prefati Georgii sueque sponse predictae ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum illis eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis quibus deficientibus legitimis et propinquioribus heredibus et assignatis dicti Georgii quibuscunque hereditarie et irredimabiliter sine aliqua reversione redemptione seu regressu quocunque desuper inde danda et in debita et competenti forma prout congruit conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii necnon de mandato speciale dicti resignantis propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actuaalem et realem Totius et integri predicti tenementi sive petie terre jacentis et bondati respective ut premittitur memoratis Georgio Hommill et Elspethe Gottray ejus sponse eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi ejusdem illis personaliter presentibus et manibus junctis acceptantibus traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu deliberavit secundum formam et tenorem dicte resignationis litereque dispositionis prescripte eo circa confecte Tenendi de dicto S. D. N. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus Georgius Hommill ejusque sponsa predicta ac eorum quilibet pro semetipsis a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum tenementi sive pecie terre predicti horam circiter secundum post meridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Roberto Speir fullone Thoma Spark et Patricio Kyll burgensibus de Irwin et Willielmo

Stevinsoun serjiando cum diversis aliis testibus ad premissa vocatis
pariterque rogatis.
R. BROUN.

ABSTRACT.

FOR GEORGE HOMMILL, FLESHER, AND HIS SPOUSE.

Instrument narrating that there compeared personally, in the presence of the notary and witnesses, a prudent man, Robert Kyle, merchant, burgess of Irvine, and went upon the ground of that his tenement or piece of land, belonging to him heritably, lying within the territory of the said burgh, between the common way or passage leading to the Green, on the north, and the Vennel or stank, vulgarly called the Gruipe Gutter, on the south; and there the said Robert, for certain sums of money paid to him by a prudent man, George Hommill, flesher, burgess of Irvine, and Elspeth Gottray his spouse, and in implement of his part of a disposition granted by him to them, did purely and simply resign the aforesaid tenement in the hands of an honourable man, John Blair, one of the bailies of the said burgh, in favour of and for this new seizin and infeftment to be given to the said George and Elspeth in conjunct fee, and to the heirs of their marriage, heritably and irredeemably: Which resignation having been duly made, and by the said bailie admitted and received, he gave seizin in terms thereof to the said George Hommill and Elspeth his spouse, by delivery to them of earth and stone in the usual manner, they receiving the same with their hands joined: Done upon the ground of the said tenement, about the second hour after noon of the 7th day of December 1616, in presence of witnesses, namely, Robert Speir, fuller, Thomas Spark and Patrick Kyll, burgesses of Irvine, and William Stevinsoun, serjeant.

LXXX.—PRO HUGONE CAMPBELL DE HOLLERHIRST.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo septimo mensis vero Januarii die decimo regnorumque S. D. N. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quarto In mei notarii

publici et testium subscriptorum presentiis personaliter comparuit providus vir Robertus Kyle mercator burgensis burgi de Irwing nunc vero incola apud Gilligrunis Port infra regnum Hibernie super solum et fundum illius ejus inferioris posterioris tenementi terre jacentis infra dictum burgum ex occidentali latere communis vie regie ejusdem pro presenti per Joannem Dein et Jonetam Kyle ejus sponsam ac filiam dicti Roberti occupati et possessi jacentis inter tenementum antierius dicti Roberti ex ——— et tenementum Joannis Gottray olim vero Petri Gottray ex ——— partibus ab una et aliis Et ibidem dictus Robertus non vi aut metu ductus nec errore lapsus fraude nec dolo aliquo circumventus sed sua mera libera et spontanea voluntate pro summa unius centum mercarum usualis monete huius regni Scotie sibi premanibus discreti viri Hugonis Campbell de Hollerhirst plenarie et integre tempore presentium confectionis in pecunia numerata persolutis de quaquidem summa dictus Robertus tenebat se bene contentum plenarie et integre persolutum dictumque Hugonem ejusque heredes executores et assignatos de eadem exoneravit et quieteclamavit plena per huius presentis instrumenti tenorem imperpetuum Totum et integrum predictum ejus posterius inferius tenementum jacens in area sua comprehendens in se aulam posteriorem cubiculos inferiores stabulum aliasque domos inferiores in dicta area situatas necnon hortum ejus superiorem lie ovir yeard ut supra jacentem In manibus honorabilis viri Joannis Blair unius ballivorum dicti burgi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit unacum omnibus jure titulo interesse jurisclameo proprietate et possessione sibi suisve heredibus et assignatis in et ad eandem competentibus In favorem dicti Hugonis suorumque heredum successorum et assignatorum ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum illi in debita et competenti forma modo subsequente prout congruit danda et conficienda Proviso tamen quod non obstante hac resignatione prescripta ac infeodatione dicto Hugoni desuper concessura licitum erit dicto Roberto Kyll resignanti suisve heredibus et assignatis quibuscunque totum et integrum predictum ejus posterius tenementum et hortum cum pertinentiis particulariter supra specificatis a prefato Hugone suisque prescriptis redimere et relaxare per solutionem ejus predictae summe unius centum mercarum usualis monete predictae infra ecclesiam parochialem dicti burgi de Irwing super quemvis diem precedentem diem festi Martini (vulgo on ony Mertinmes evin) in anno domini millesimo sexcentesimo decimo

septimo instanti millesimo sexcentesimo decimo octavo vel millesimo sexcentesimo decimo nono infra solis ortum et occasum premonitione omnimodo per dictum Robertum suosque predictos dicto Hugoni suisque prescriptis legitima facta precedente dictum diem redemptionis per spatium quadraginta diem personaliter aut apud eorum domum habitationis in presentia notarii et testium fide dignorum prout congruit Et casu absencie aut recusationis per consignationem predictæ summe in manibus prepositi aut unius ballivorum dicti burgi ad utilitatem et commodum dicti Hugonis proviso quod nulla fiet redemptio dicti tenementi donec et quousque omnes annui redditus dicte summe extendentes annuatim ad decem minas monete predictæ persoluti saltem consignati fuerint cum dicta principali summa proportionaliter annuatim hinc inde ad diem dicte redemptionis ac proviso etiam quod si contigerit dictum Robertum suosque predictos deficere in gratuita solutione et redemptione predicti tenementi sic quod omnes termini predicti elapsi fuerint legitima redemptione minime facta modo prescripto tunc et in eo casu dicta reversio et omne beneficium redemptionis illis imposterum pro dicti tenementi redemptione competens expirabit nullum extinctum et ipso facto expiratum erit Cuiquidem expirationi prepositi et ballivi dicti burgi de Irwing erint solummodo iudices competentes non obstante quorumcunque actorum legum statutorum regni practicarum seu constitutionum in contrarium factorum vel faciendorum penes quam dictus Robertus pro se suisque prescriptis dispensavit tenoreque presentis huius instrumenti tenorem imperpetuum dispensat sic quod dictum tenementum omnibus temporibus imposterum post dictam expirationem cum dicto Hugone suisque prescriptis hereditarie et irredimabiliter sine reversione redemptione aut regressu remanebit Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii et de mandato speciale dicti resignantis propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem totius et integri predicti posterioris inferioris tenementi et horti superioris comprehendentis et jacentis ut supra memorato Hugoni Campbell per terre et lapidis fundi ejusdem illi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie secundum tenorem dicte resignationis prescripte deliberavit Tenendi de dicto S. D. N. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas

tantum Insuper in presentia dicti ballivi dictus Robertus predictum tenementum cum singulis suis pertinentiis ut supra jacens prefato Hugoni suisque prescriptis ab omnibus et singulis periculis damnis et inconvenientiis quibuscunque presentibus preteritis et futuris warrantizare acquietare et imperpetuum defendere sese suosque heredes et assignatos firmiter obligavit contra omnes mortales Cuique warantizationis clausule prefatus ballivus ad mandatum dicti obligantis suam auctoritatem et decretum judiciale interposuit ordinando eandem vim sui decreti judicialis habere et quod executoriales desuper si necesse fuerit prout congruit de jure sequantur Super quibus omnibus et singulis premissis prefatus Hugo Campbell a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum predicti tenementi posterioris et horti superioris prescripti horam circiter decimam antemeridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Jacobo Cunyngham mercatore Patricio Kyll burgensibus de Irwin Willielmo Stevinsoun et Olivero Broun serjiandis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR HUGH CAMPBELL OF HOLLERHIRST.

Instrument narrating that a prudent man, Robert Kyle, merchant burgess of Irvine, but now residing at Gilligrun's Port, within the kingdom of Ireland, compeared personally upon the ground of that his lower back tenement, lying within the said burgh, on the west side of the common highway thereof, presently occupied and possessed by John Dein and Jonet Kyle his spouse, daughter of the said Robert, between his fore tenement on the one side, and the tenement of John Gottray of old, but now of Peter Gottray, on the other side; and there the said Robert, of his own free will, and for the sum of one hundred merks paid to him beforehand by a discreet man, Hugh Campbell of Hollerhirst, did surrender, and purely and simply resign the aforesaid tenement, lying in its area, comprehending therein a back hall, lower bedchambers, stable, and other lower houses situated in the said area, also his over yaird lying as above, in the hands of an honourable man, John Blair, one of the bailies of

the said burgh, in favour of the said Hugh and his heirs, and for this new seizin to be given by the bailie in due form: providing, however, that notwithstanding this resignation, and infeftment to be granted thereupon, it shall be lawful to the resigner or his heirs to redeem the said tenement and yard from the said Hugh and his heirs by payment of the aforesaid sum of one hundred merks, within the parish kirk of Irvine, upon any Martinmas eve, in the years 1617, 1618, or 1619, between the rising and the setting of the sun, lawful premonition of forty days being made by the said Robert to the said Hugh, personally or at his dwelling-place, in presence of a notary and trustworthy witnesses; and in case of absence or refusal, by consignation of the said sum in the hands of the provost or one of the bailies of the said burgh, to the use and advantage of the said Hugh: providing that no redemption of the said tenement be made until all the annual rents of the said sum, extending yearly to ten pounds, shall be paid or consigned with the said principal sum: and if the said Robert and his heirs should fail to redeem on the aforesaid conditions and within the terms specified, then and in that case this reversion and all benefit of redemption to them shall thenceforth expire, and be null and extinct; to the which expiration the provost and bailies of Irvine shall alone be judges competent, and notwithstanding whatsoever laws or practiques of the kingdom made or to be made to the contrary, anent which the said Robert, for himself and his foresaids, by the tenor hereof dispenses for ever, so that the said tenement shall remain with the said Hugh in all time after the said expiration, heritably and irredeemably, without reversion, redemption, or regress: Which resignation having been so made, and by the said bailie admitted and received, he, in virtue of his office, and by the special mandate of the resigner, did with his own hands give state and heritable seizin of the subjects aforesaid to the said Hugh Campbell by delivery to him personally of the usual symbols; moreover, in presence of the said bailie, the said Robert straitly obliged himself and his heirs to warrant, acquit, and for ever defend the aforesaid tenement and yard to the said Hugh and his heirs, against all mortals; to which clause of warrandice the bailie aforesaid, at the mandate of the obligant, interposed his authority and judicial decret: Done upon the ground of the subjects above described, about the tenth hour before noon of the 10th day of January 1617, the witnesses being James Cunynghame, merchant, Patrick Kyll, burgesses of Irvine, William Stevinsoun and Oliver Broun, serjeants.

LXXXI.—PRO (JONETA ET HELENA) RANDELLIS.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo septimo mensis vero Januarii die vigesimo secundo regnorumque s. d. n. Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quarto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit providus vir Thomas Randell burgensis burgi de Irwin et Helena Patoun ejus sponsa super solum et fundum eorum posterioris tenementi terre subscripti jacentis infra burgum de Irwing prope forum piscatorium ex orientali latere communis vie regie ejusdem inter tenementum quondam Joannis Thomsoun fullonis nunc vero Hugonis Thomsoun sui filii ex boreali et tenementum quondam Adami Moultray ex australi et anteriorem tegulatam domum pertinentem ad quondam Stephanum Boyd burgensem dicti burgi ex occidentali partibus ab una et aliis pro presenti per dictos Thomam ejusque sponsam predictam occupati et possessi Et ibidem dicti conjuges unanimi consensu et assensu pro singularibus amore gratia et favore quos erga Jonetam et Helenam Randellis eorum filias habet et gerit necnon pro diversis aliis bonis et rationabilibus causis et considerationibus eos ad hoc moventibus Totum et integrum predictum posterius eorum tenementum terre ut supra jacens occupatum et possessum comprehendens in se aulam posteriorem unacum duabus cameris vocatis lie chalmer of Deice et Turnpyk chalmer ac culinam unacum stabulo in fine aree sive clausure ejusdem et dimedium horti ejusdem inde sequentis In manibus honorabilis viri Joannis Blair unius ballivorum dicti burgi sursum reddiderunt pureque et simpliciter per fustim et baculum ut moris est resignarunt renunciarunt et extradonarunt imperpetuum unacum omnibus jure titulo et interesse proprietate et possessione tam petitorio quam possessorio que seu quas illi eorumve heredes aut assignati in et ad eundem seu aliquam earundem partem cum pertinentiis habere clamare vel pretendere potuerant omnino quieteclamarunt imperpetuum In favores ac pro hac nova sasina et infeodatione hereditaria predictum ballivum totius et integri predicti tenementi posterioris comprehendentis in se domos cubiculos aliaque particulariter supra recitata dictis Jonete et Helene Randellis eorum filiabus equaliter et proportionaliter inter eos videlicet

unicuique eorum juste et equalis dimedietatis ejusdem heredibusque de eorum corporibus legitime procreandis Quibus deficientibus persone alteri surviventi totius et integri predicti posterioris tenementi terre cum pertinentiis particulariter supra recitatis heredibusque de corpore ejus legitime procreandis Quibus etiam deficientibus legitimis et propinquiioribus heredibus et assignatis dicti Thome quibuscunque revertendi in debita et competenti forma prout congruit conficienda Reservatis tamen vitalibus redditibus dicti Thome et Helene conjugum eorumque alteri diutius viventi pro omnibus eorum vite diebus Ac proviso etiam quod semper licebit prefato Thome in sua propria persona in quovis tempore sue vite tantummodo quovis anni tempore sibi expediens videbitur Totum et integrum predictum posterius ejus tenementum terre sive aliquam dimedietatem ejusdem a prefatis Joneta et Helena Randell eorumve heredibus aut assignatis prescriptis Redimere et relaxare per solutionem illis et eorum alteri summe sex solidorum et octo denariorum usualis monete hujus regni Scotie infra ecclesiam parochialem de Irwing super premonitione viginti quatuor horarum precedente in presentia notarii et testium fide dignorum prout congruit legitime facta Et casu absencie aut recusationis per consignationem predictæ summe in manibus unius ballivorum dicti burgi ad eorum vel illius commodum deveniende Quo facto dictum posterius tenementum sive ulla dimedietas ejusdem sibi expediens redimere omnibus temporibus ex tunc legitime redemptum et relaxatum fore reputabitur absque aliqua declaratura seu ulteriore juris processu quocunque presensque hoc infeofamentum persone vel personis a qua vel quibus dictum tenementum seu justa dimedietas redemptum seu redempta contigerit nullius erit roboris valoris efficacie aut effectus dictusque Thomas ejusque conjux predicta in et ad eundem liberum et plenum regressum et ingressum habebunt ac si dicta resignatio nunquam facta fuisset Quibus peractis prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii necnon de mandatis specialibus dictorum resignantium propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actuaalem et realem Totius et integri predicti posterioris tenementi terre comprehendentis in se aulam posteriorem duas cameras vulgo lie chalmer of Deyce et Turnpyk chalmer ac culinam unacum stabulo in fine aree sive clausure ejusdem et dimedio horti ejusdem inde sequente ut supra jacentis occupati et possessi memoratis Jonete et Helene Randellis equaliter et proportionabiliter inter eos videlicet unicuique eorum

juste et equalis dimedietatis ejusdem per terre et lapidis fundi ejusdem illis personaliter presentibus et unicuique eorum pro semetipsis acceptantibus traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie deliberavit Reservatis tamen ut supra reservatis ac sub provisionibus et reversionum conditionibus particulariter superscriptis Tenende de prefato s. d. n. rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum super quibus omnibus et singulis premissis prefate Joneta et Helena Randellis ac eorum quelibet pro semetipsis a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum predicti tenementi posterioris horam circiter nonam mane aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Thoma Nevein de Monkriding Willielmo Cauldwell de Annanhill Joanne Neilsoun notario Roberto Cunynghame seniore Jacobi Cunynghame mercatore burgensibus de Irwing et Willielmo Stevinsoun serjiando testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR JONET AND HELEN RANDELLS.

Instrument narrating that there compeared personally a prudent man, Thomas Randell, burgess of Irving, and Helen Patoun his spouse, upon the ground of their back tenement of land, lying within the said burgh, near the Fishmarket, on the east side of the common High Street of the same, between the tenement of the late John Thomsoun, fuller, but now of Hugh Thomsoun his son, on the north, and the tenement of the late Adam Moultray on the south, and the fore tiled house pertaining to the late Stephan Boyd, burgess of the said burgh, on the west, for the present occupied and possessed by the said Thomas and his spouse : and there the said spouses, of one consent and assent, for the singular love, grace, and favour which they had towards Jonet and Helen Randells their daughters, and also for divers other good and reasonable causes and considerations moving them thereto, did surrender and purely and simply resign all and whole their back tenement aforesaid, comprehending therein a back hall, together with two chambers, called the chamber of

dice, and the turnpyke chamber, and kitchen, together with the stable in the end of the area or close thereof, and half of the yard of the same thence following, in the hands of an honourable man, John Blair, one of the bailies of the said burgh, in favour of and for this new seizin and heritable infestment thereof to be made by him to the said Jonet and Helen Randells, equally and proportionally between them, that is to say, to each of them of the just and equal half thereof, and to the heirs of their bodies lawfully to be procreated, which failing, to the person surviving, of all and whole the aforesaid tenement, with the pertinents particularly above recited, and to the heirs of her body lawfully to be procreated, which also failing, to revert to the lawful and nearest heirs and assignees whatsoever of the said Thomas : Reserving, however, to him and his spouse, and the survivor of them, their liferents ; and providing also that it shall always be lawful to the said Thomas, in his own person, in any time of his life only, at any time of the year which shall seem to him expedient, to redeem the said tenement, or any half thereof, from the aforesaid Jonet and Helen, and their heirs, by payment to them, or either of them, of the sum of six shillings and eight pennies usual money of this realm of Scotland, within the parish church of Irvine, upon premonition of twenty-four hours preceding lawfully made in presence of a notary and trustworthy witnesses ; and in case of absence or refusal, by consignation of the aforesaid sum in the hands of one of the bailies of the burgh, to be forthcoming to the use of them or either of them : which having been done, the said tenement, or any half thereof, expedient to him to redeem, shall thenceforth be reputed to be lawfully redeemed, without any declarator or further process of law ; and this present infestment shall be of no force or effect to the person or persons from whom the said tenement or just half shall happen to be redeemed, and the said Thomas and his spouse shall have full and free regress and ingress to the same, as if this resignation had never been made : Which things having been done, the aforesaid John Blair, bailie, did, with his own hands, give seizin to the said Jonet and Helen Randells, in the usual manner : Done upon the ground of the said back tenement, about the ninth hour of the morning of the 22nd day of January 1617, the witnesses being Thomas Nevein of Monkriding, William Cauldwell of Annanhill, John Neilsoun, notary, Robert Cunynghame, elder, James Cunynghame, merchant, burgesses of Irvine, and William Stevinsoun, serjeant.

LXXXII.—PRO ALLANO ROS PELLIONE.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo septimo mensis vero Januarii die vigesimo octavo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quarto In mei notarii publici et testium subscriptorum presentiis personaliter constitutus providus vir Robertus Cunynghame senior burgensis burgi de Irwing hereditarius proprietarius annui redditus subscripti personaliter comparuit super solum et fundum illius tenementi terre subscripti ad Joannem Neveine burgensem etiam dicti burgi hereditarie pertinentis ex quo annuus redditus subscriptus annuatim exigendus est jacentis infra dictum burgum de Irwing ex occidentali latere vie regie ejusdem inter tenementum nunc ad heredes quondam Joannis Dunlop pertinens ex australi et tenementum quondam Willielmi Glen ex boreali partibus ab una et aliis Et ibidem dictus Robertus pro impletione et observatione unius ejus partis cujusdam dispositionis litere per eum de predicto annuo reddito provide etiam viro Allano Ros pelliوني burgensi etiam dicti burgi de data presentium confecte Totum et integrum illud ejus annum redditum duodecim mercarum usualis monete hujus regni Scotie in quo dictus Robertus debite et legitime infeodatus existit annuatim levandum et percipiendum ad duos anni terminos consuetos festa videlicet Penthecostes et Sancti Martini in hyeme per equales portiones de toto et integro predicto tenemento terre ante et retro cum pertinentiis ad dictum Joannem Neveine hereditarie pertinente jacente et bondato ut prefertur unacum omnibus jure titulo et interesse proprietate et possessione tam petitorio quam possessorio que seu quas habuit habet seu quovismodo in et ad predictum annum redditum annuatim levandum et percipiendum de predicto tenemento ad terminos prescriptos habere vel clamare poterit In manibus honorabilis viri Adami Cunyngham unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum In favores prefati Allani Ros suorumque heredum et assignatorum ac pro hac nova sasina et infeodatione hereditarea per dictum ballivum illi suisque heredibus et assignatis quibuscunque hereditarie et irredimabiliter absque aliqua reversione redemptione

seu regressu in debita et competenti forma prout congruit desuper danda et concedenda Qua resignatione sic ut premittur facta debite et legitime per dictum ballivum admissa et recepta prefatus Adamus Cunynghame ballivus antedictus virtute et vigore sui officii necnon de mandato et requestu speciale dicti resignantis propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actuaalem et realem Totius et integri predicti annui redditus duodecim mercarum usualis monete predicti annuatim levandi et percipiendi de predicto tenemento terre ante et retro cum pertinentiis ut supra jacente ad terminos predictos per equales portiones ut prefertur memorato Allano Ros personaliter presenti et pro se heredibus suis et assignatis hereditarie acceptanti per terre et lapidis fundi predicti tenementi ac unius denarii ut moris est traditionem et deliberationem dedit tradidit hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu deliberavit secundum formam et tenorem dicte resignationis litereque dispositionis prescripte eo circa confecte Tenendi de dicto supremo domino nostro rege suisque successoribus more burgali Reddendo inde annuatim onera debita et consueta tantum Super quibus omnibus et singulis premissis prefatus Allanus Ros a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi horam circiter nonam antemeridiem aut eo circa sub anno die mense regisque regis quibus supra presentibus ibidem Willielmo Cauldwell de Annanhill clerico balliatus de Cunyngham Joanne Thomsoun in Annanhill Willielmo Walker portionario de Byres Kilwynning et Willielmo Stevinsoun serjiando testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR ALLAN ROS, SKINNER.

Instrument narrating that a prudent man, Robert Cunynghame, elder, burgess of Irvine, compeared personally on the ground of that tenement of land pertaining heritably to John Nevein, burgess of the said burgh, lying therein on the west side of the High Street thereof, between the tenement now belonging to the heirs of the late John Dunlop on the south, and the tenement of the late William Glen on the north ; and there the said Robert,

for implement of a disposition made by him to a prudent man, Allan Ros, skinner, burgess of the said burgh, of the same date, did resign all and whole an annualrent of twelve merks usual money of this realm of Scotland in which the said Robert stood lawfully infefted, yearly to be uplifted at the two usual terms of Whitsunday and Martinmas, by equal portions, furth of the aforesaid tenement, in the hands of an honourable man, Adam Cunynghame, one of the bailies of Irvine, in favour of and for this new seizin of the same to be given by him to the said Allan Ros, and his heirs and assignees heritably and irredeemably; whereupon the said bailie did with his own hands give seizin accordingly, by delivery of earth and stone of the ground of the said tenement, and of one penny, as the custom is, to the said Allan Ros, who was personally present, and accepting thereof: Done upon the ground of the aforesaid tenement, about the ninth hour before noon of the 28th day of January 1617, these witnesses being present, William Cauldwell of Annanhill, clerk of the bailiery of Cunynghame, John Thomsoun in Annanhill, William Walker, portioner of Byres Kilwynning, and William Stevinsoun, serjeant.

LXXXIII.—PRO JONETA HOLMES.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo septimo mensis vero Februarii die septimo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo decimo quarto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit honorabilis vir Joannes Blair unius ballivorum burgi de Irwing super solum et fundum tenementi terre subscripti Et ibidem quia sibi clare constabat et notum fuit per autentica documenta et sasine instrumenta publice sibi ostensa perlecta et demonstrata quod quondam Ninianus Holmes mercator burgensis burgi de Irwing pater Jonete Holmes latricis presentium obiit ultimo vestitus et sasitus ut de feodo ad pacem et fidem dicti supremi domini nostri regis in toto et integro illo tenemento terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis jacente infra burgum de Irwing ex orientali latere communis vie regie ejusdem prope crucem foralem inter tenementum olim quondam Davidis Cunynghame nunc vero Andree Calderwod vocatum Sanct Conuellswallis ex australi

et tenementum quondam Alexandri Michell nunc vero heredum dicti quondam Alexandri et ——— Gottray ex boreali partibus ab una et aliis Et quod dicta Joneta est sola filia legitima et propinquior heres ejusdem dicti quondam Niniani sui patris de toto et integro predicto tenemento terre ante et retro et subtus supra cum horto aggere et singulis suis pertinentiis ut supra jacente Et quod est legitime etatis Et quod predictum tenementum cum pertinentiis de prefato supremo domino nostro rege tenetur in capite more burgali Propterea prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii propriis suis manibus statum et sasnam hereditaream pariter et possessionem corporalem actuaalem et realem Totius et integri predicti tenementi terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis ut supra jacentis memorate Jonete Holmes tanquam sole filie legitime et propinquiori heredi ejusdem dicti quondam Niniani sui patris per terre et lapidis fundi ejusdem sibi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit et deliberavit secundum tenorem infeofamenti dicti quondam sui patris quod de eisdem inde habet (Salvo jure cujuslibet) Ac reservato Margarete Cunynghame ejus matri domine conjuncte infeodationis ejusdem sue vitali redditu totius et integri predicti tenementi terre ante et retro subtus et supra cum horto aggere et pertinentiis pro omnibus sue vite diebus secundum tenorem infeofamenti sibi in conjuncta infeodatione et vitali redditu ejusdem desuper concessi Tenendi de prefato supremo domino nostro rege suisque successoribus more burgali Insuper dicta Joneta non vi aut metu ducta nec errore lapse fraude nec dolo aliquo circumventa sed sua mera pura libera et spontanea voluntate pro singularibus amore gratia et favore quos erga Margaretam Cunynghame ejus matrem habet et gerit necnon pro diversis aliis bonis et rationabilibus causis et considerationibus eum ad hoc moventibus ex certa scientia proprioque motu matura deliberatione secum prehabita Totum et integrum predictum ejus tenementum terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis ut supra jacens Unacum omnibus jure titulo et interesse sibi in et ad eundem competentibus In manibus dicti Joannis Blair ballivi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum In favorem ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum sibi dicte Jonete suisque heredibus de corpore ejus legitime procreandis Quibus

forte deficientibus dicte Margarete Cunynghame ejus matri heredibusque inter eam et Adamum Cunynghame unius ballivorum dicti burgi nunc ejus maritum legitime procreatis seu procreandis Quibus etiam forte deficientibus dicte Margarete suisque legitimis et propinquioribus heredibus et assignatis quibuscunque hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu in debita et competenti forma prout congruit danda et concedenda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii necnon de mandato et requestu speciale dicti resignantis propriis suis manibus statum et sasnam hereditariam pariter et possessionem corporalem actualem et realem Totius et integri predicti tenementi terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis ut supra jacentis memorate Jonete resignanti per terre et lapidis fundi ejusdem sibi personaliter presenti et pro se suisque heredibus de corpore suo legitime tantummodo procreandis acceptanti (quibus deficientibus ut supra) ut moris est traditionem et deliberationem dedit tradidit et deliberavit secundum tenorem dicte resignationis prescripte Tenendi de prefato supremo dicto nostro rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefata Joneta Holmes pro semetipsa necnon dicta Margareta Cunynghame ejus mater etiam pro semetipsa a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi horam circiter octavam mane aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Adamo Fullartoun Hugone Lyn Alexandro Galt et Waltero Steuart mercatoribus burgensibus de Irwing testibus ad premissa vocatis pariterque rogatis.

R. BROWN.

ABSTRACT.

FOR JONET HOLMES.

Instrument narrating that an honourable man, John Blair, one of the bailies of Irvine, compeared personally on the ground of the tenement of land underwritten, and there, because it clearly appeared to him by authentic documents and instruments of seizin publicly shown and read to him, that the late Ninian Holmes, merchant, burgess of Irvine, died last vest and seized as of fee, at the peace and faith of our sovereign lord the king, in all and whole that tenement of land, fore and back, under and above, with yard, tailing rig and pertinents, lying within the burgh of Irvine, on the east side of the High Street thereof, near the market cross, between the tenement formerly of the late David Cunynghame, now of Andrew Calderwod, called Saint Conwell's Walls, on the south, and the tenement of the late Alexander Mitchell, but now of his heirs, and of ——— Gottray, on the north; and that Jonet Holmes, bearer hereof, is the only lawful daughter and nearest heir of the said deceased Ninian, her father, of all and whole the aforesaid tenement, etc.; and that she is of lawful age; and that the said tenement is held of the king in chief, burgage-wise: Therefore the bailie aforesaid, by virtue of his office, did with his own hands give state and heritable seizin of the said tenement to the said Jonet, by delivering to her the usual symbols, according to the tenor of the infeftments, which the said Ninian her father had of the same: Reserving to Margaret Cunynghame her mother, lady of the conjunct fee thereof, her liferent of the same: Moreover, the said Jonet, of her own free will, and for the love, grace, and favour which she had and bare towards her said mother, did freely resign the aforesaid tenement, with the yard and tailing rig thereof, in the hands of the said John Blair, bailie, in favour of and for this new seizin and heritable infeftment of the same to be given by him to herself, the said Jonet, and the heirs of her body lawfully to be procreated; which failing, to the said Margaret Cunynghame her mother, and the heirs lawfully procreated or to be procreated between her and Adam Cunynghame, one of the bailies of the said burgh, now her husband; which also failing, to the said Margaret, her nearest lawful heirs and assignees whatsoever, heritably and irredeemably, without reversion:

Which resignation having been so made, and by the bailie admitted and received, he, by virtue of his office, and at the special request of the resigner, did with his own hands give seizin accordingly to the said Jonet, etc. : Done on the ground of the aforesaid tenement, about the eighth hour of the morning of the 7th day of February 1617, these witnesses being there present, Adam Fullerton, Hugh Lyn, Alexander Galt, and Walter Steuart, merchants, burgesses of Irvine.

LXXXIV.—PRO JOANNE YOUNG ET EJUS SPONSA.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo septimo mensis vero Februarii die decimo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quarto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit providus vir Joannes Young officarius ecclesie burgi de Irwin super solum et fundum ejus tenementi terre subscripti jacentis infra dictum burgum de Irwin ex orientali latere communis vie regie ejusdem versus pretorium dicti burgi inter tenementum Willielmi Dickie ex boreali et tenementum heredum quondam Joannis Tueidy ex australi partibus ab una et aliis Et ibidem dictus Joannes Young non vi aut metu ductus nec errore lapsus fraude nec dolo aliquo circumventus sed sua mera pura libera et spontanea voluntate pro singularibus amore gratia et favore quos erga dilectam suam sponsam Jonetam Campbell habet et gerit necnon pro diversis aliis bonis et rationabilibus causis et considerationibus eum ad hoc moventibus matura deliberatione prehabita Totum et integrum predictum ejus tenementum terre ante et retro subtus et supra cum horto et singulis suis pertinentiis ut supra bondatum et jacens pro presenti per ipsos et Margaretam Gottray matrem dicti Joannis occupatum et possessum In manibus honorabilis viri Joannis Blair unius ballivorum dicti burgi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum unacum omnibus jure juristitulo interesse jurisclameo proprietate et possessione tam petitorio quam possessorio que seu quas dictus Joannes suive heredes successores aut assignati in et ad prescriptum tenementum ante et retro subtus et supra cum horto et suis pertinentiis ut prefertur bondatum et

jacens seu aliquam earundem partem habere clamare vel pretendere potuerat omnino quieteclamavit imperpetuum In favores ac pro hac nova sasina et infeodatione ejusdem per dictum ballivum prefato Joanni Young et Jonete Campbell ejus sponse eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis Quibus quod absit deficientibus dicte Jonete suisque legitimis et propin- quioribus heredibus et assignatis quibuscunque hereditarie in debita et competenti forma prout congruit danda et conficienda Proviso tamen quod semper licebit prefato Joanni Young resignanti quovis tempore sue vite in sua propria persona tantummodo per ejus personalem presentiam tantum- modo totum et integrum predictum ejus tenementum terre ante et retro subtus et supra cum horto et pertinentiis a prefata Joneta Campbell ejus sponsa redimere et relaxare per solutionem illi summe sex solidorum et octo denariorum usualis monete hujus regni Scotie quovis anni tempore super premonitione viginti quatuor horarum precedente in presentia notarii et testium fidedignorum prout congruit debite et legitime facta Et casu absencie aut recusationis per consignationem predictae summe in manibus prepositi aut unius ballivorum dicti burgi ad ejus utilitatem et commodum dicte Jonete deveniende Quo debite facto predictum tenementum cum pertinentiis omnibus temporibus ex tunc debite et legitime redemptum et relaxatum fore reputabitur et existimabitur Et si secus fuerit adeo ut con- tigerit predictum tenementum ante et retro subtus et supra cum horto et pertinentiis a prefata Joneta Campbell suisque heredibus et assignatis pre- scriptis per dictum Joannem Young maritum dicte Jonete modo et forma immediate prescriptis et non alias minime redemptum et relaxatum fore Tunc et in eo casu predictum tenementum terre ante et retro subtus et supra cum horto et singulis suis pertinentiis ad dictam Jonetam Campbell ejusque heredes successores et assignatos quoscunque pertinebit hereditarie et irredimabiliter absque aliqua reversione redemptione seu regressu quocunque in futurum Necnon proviso quod si contigerit prefatum Joannem Young in sua propria persona a prefata sua sponsa predictum tenementum secundum dicte reversionis tenorem redimere quod tunc et in eo casu dicta illa redemptio si qua fuerat nullum damnum seu prejudicium dicte Jonete suisque heredibus inferat penes ejus conjunctam infeodationem seu vitalem redditum predicti tenementi terre ante et retro subtus et supra cum horto et singulis suis pertinentiis in sua pura virgini- tate concessum Ac etiam proviso quod predicta illa redemptio si qua fuerit

ut predicitur nullum damnum seu prejudicium dicte Jonete suisque heredibus inferat penes ejus alterum hereditarium infeofamentum per dictum Joannem ejus sponsum sibi de predicto anteriore ejus tenemento subtus et supra cum pertinentiis etiamque concessum sub reversione dicto Joanni suisque heredibus quibuscunque per solutionem dicte Jonete suisque prescriptis summe centum librarum monete prescripte sed quod predicta illa duo particularia infeofamenta in eorum vigore et robore secundum ejusdem tenores imperpetuum permanebunt Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii necnon de mandato speciale dicti resignantis propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem Totius et integri predicti tenementi terre ante et retro subtus et supra cum horto et singulis suis pertinentiis ut supra jacentis memoratis Joanni Young et Jonete Campbell conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi ejusdem illis personaliter presentibus et manibus junctis pro se suisque heredibus et assignatis quibus deficientibus ut supra acceptantibus traditionem et deliberationem dedit tradidit pariter et cum effectum hereditarie secundum formam et tenorem dicte resignationis provisiones prescriptas in se continentis in omnibus deliberavit imperpetuum Tenendi de prefato supremo domino nostro rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefati Joannes Young et Joneta Campbell conjuges ac eorum quilibet pro semetipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum predicti tenementi horam circiter decimam antemeridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Joanne Campbell naclero Roberto Cunyngham juniore burgensi de Irwing Willielmo Stevinsoun serjiando et Joanne Neilsoun notario testibus ad premissa vocatis pariterque rogatis.

R. BROWN.

ABSTRACT.

FOR JOHN YOUNG AND HIS SPOUSE.

Instrument narrating that a prudent man, John Young, kirk officer of the burgh of Irvine, compeared personally upon the ground of his tenement of land with yard, lying within the said burgh, on the east side of the High Street of the same, towards the Tolbooth thereof, between the tenement of William Dickie on the north, and the tenement of the heirs of the deceased John Tueidy on the south; and there the said John Young, for the love, grace, and favour which he had towards his beloved spouse Jonet Campbell, and for divers other good and reasonable causes and considerations moving him thereto, did freely resign all and whole the aforesaid tenement presently occupied and possessed by themselves and Margaret Gottray his mother, in the hands of an honourable man, John Blair, one of the bailies of the said burgh, in favour of and for this new seizin to be given to him the said John Young and Jonet Campbell his spouse, and the survivor of them in conjunct fee, and the heirs between them lawfully procreated or to be procreated, which (but may it not be!) failing, to the said Jonet and her heirs whatsoever, heritably: Providing, however, that it shall always be leisome to the said John, the resigner, at any time of his life, and in his own person only, by his personal presence only, to redeem the said tenement from his said spouse, by payment to her of the sum of six shillings and eight pennies money of this realm of Scotland, at any time of the year, on premonition of twenty-four hours, duly made in presence of a notary and trustworthy witnesses; and, in case of absence or refusal, by consignation of the said sum in the hands of the provost or one of the bailies of the said burgh, to be forthcoming to her utility and advantage; which being done, the aforesaid tenement shall thenceforth be deemed to be duly and lawfully redeemed: And if, on the other hand, the said tenement should happen not to be redeemed from the said Jonet by her said husband, in the manner before written, and not otherwise, then and in that case the aforesaid tenement of land, with yard, shall pertain to the said Jonet Campbell and her heirs whatsoever, heritably and irredeemably, without any reversion, redemption, or regress whatever in future: Providing also, that if the said John Young should in his own person redeem the same, according to the tenor of the said reversion, then the said redemption shall not infer any

hurt or prejudice to the said Jonet and her heirs anent her conjunct fee or liferent of the tenement aforesaid granted to her in her pure virginity; and also providing that the said redemption, if it should take place, should not infer any hurt or prejudice to the said Jonet and her heirs anent her other heritable infeftment granted to her by the said John her husband of his aforesaid fore tenement, under reversion to him and his heirs by payment to the said Jonet and her foresaids of the sum of one hundred pounds money afore written; but that the two particular infeftments aforesaid should remain for ever in their force and strength; which resignation having been so made, the bailie gave seizin according to the tenor above written: Done on the ground of the said tenement, about the tenth hour before noon of the 10th day of February 1617: Witnesses, John Campbell, shipmaster, Robert Cunynghame, younger, burgess of Irvine, William Stevinsoun, serjeant, and John Neilsoun, notary.

LXXXV.—PRO MAGISTRO JACOBO BRYDING.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo septimo mensis vero Februarii die vigesimo quinto regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quarto In mei notarii publici et testium subscriptorum presentiis personaliter constitutus honorabilis vir Adamus Cunynghame unius ballivorum burgi de Irwing Quia sibi clare constabat et notum fuit per autentica documenta et sasine instrumenta publice sibi ostensa perlecta et demonstrata quod quondam Patricius Bryding burgensis burgi de Irwin pater Magistri Jacobi Bryding latoris presentium obiit ultimo vestitus et sasitus ut de feodo ad pacem et fidem dicti supremi domini nostri regis in toto et integro illo tenemento terre ante et retro subtus et supra cum horto et singulis suis pertinentiis jacente infra dictum burgum de Irwin in via ecclesiastica ejusdem inter tenementum quondam Joannis Adam nunc vero Jacobi Patoun naucleri ex orientali et tenementum quondam Jacobi Tueidy nunc vero Jonete Tueidy ex occidentali partibus ab una et aliis Et quod dictus Magister Jacobus est legitimus et propinquior heres ejusdem dicti quondam Patricii sui patris de predicto tenemento terre ante et retro subtus

et supra cum horto et singulis suis pertinentiis ut supra jacente Et quod est legitime etatis Et quod predictum tenementum de prefato supremo domino nostro rege tenetur in capite more burgali Propterea prefatus Adamus Cunyngham ballivus antedictus virtute et vigore sui officii propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actuaalem et realem Totius et integri predicti tenementi terre ante et retro subtus et supra cum horto et singulis suis pertinentiis ut supra jacentis memorato Magistro Jacobo Bryding tanquam filio legitimo et propinquiori heredi antedicti quondam Patricii sui patris per terre et lapidis fundi ejusdem illi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie secundum tenorem antike infeodationis dicti quondam sui patris quod de eisdem inde habet deliberavit (Salvo jure cujuslibet) Tenendi de prefato supremo domino nostro rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus Magister Jacobus a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi terre horam circiter octavam mane aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Jacobo Patoun nauclero Davide Tueidy juniore ephippiario Alexandro Cunyngham juniore mercatore burgensibus de Irwin et Adamo Cunyngham filio legitimo natu maximo Roberti Cunyngham de Auchinhervie testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR MASTER JAMES BRYDING.

Instrument narrating that an honourable man, Adam Cunynghame, one of the bailies of the burgh of Irvine, compeared personally in presence of the notary and witnesses; and because it clearly appeared and was known to him by authentic documents and instruments of seizin publicly shown and read to him, that the late Patrick Bryding, burgess of Irvine, died last vest and seized as of fee, at the peace and faith of the king, in all and whole that tenement of land, fore and back, below and above, with yard and pertinents, lying within the said burgh, in the Kirkgate thereof,

between the tenement of the late John Adam, but now of James Patoun, shipmaster, on the east, and the tenement of the late James Tueidy, but now of Jonet Tueidy, on the west; and that Master James Bryding is lawful and nearest heir of the said Patrick, his father, of the aforesaid tenement; and that he is of lawful age; and that the said tenement is held of the king in chief, in manner of burgh: therefore the said Adam Cunynghame, bailie, did with his own hands give state and seizin of the same to the said Master James, by delivery to him of earth and stone of the ground thereof: These things were done upon the ground of the said tenement, about the eighth hour of the morning of the 25th day of February 1617; the witnesses there present being James Patoun, shipmaster, David Tueidy, younger, saddler, Alexander Cunynghame, younger, merchant, burgesses of Irvine, and Adam Cunynghame, eldest son of Robert Cunynghame of Auchinhervie.

LXXXVI.—PRO MARGARETA RAYNKINE RELICTA QUONDAM
PETRI RANDELL, Etc.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo septimo mensis vero Februarii die ultimo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quarto In mei notarii publici et testium subscriptorum presentiis personaliter constitutus providus vir David Tueidy junior ephippiarius burgensis burgi de Irwing personaliter comparuit super solum et fundum illius ejus tenementi sive pecie terre sibi hereditarie pertinentis jacentis infra dictum burgum super montem vocatum M'Misherthill jacentis inter terras sive tenementum quondam Joannis Bar ex ——— et tenementum sive terras ——— ex ——— et ——— ex ——— partibus ab una et aliis Et ibidem dictus David non vi aut metu dictus nec errore lapsus fraude nec dolo aliquo circumventus sed sua mera pura libera et spontanea voluntate pro singularibus amore gratia et favore quos erga Margaretam Raynkin relictam quondam Petri Randell burgensis dicti burgi habet et gerit nunc vero ejus futuram sponsam necnon in contemplatione matrimonii inter eos solemnizandi Totam et integram justam equalem dimedietatem predicti tenementi sive pecie terre ut supra jacentis In manibus honorabilis viri

Willielmi Mure unius ballivorum commissionariorum dicti burgi in absentia ballivorum principalium ejusdem sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum in favorem prefate Margarete sue future sponse ac pro hac nova sasina et infeodatione ejusdem predictae dimedietatis predictae Margarete in vitali reddito pro omnibus sue vite diebus per dictum ballivum in debita et competenti forma prout congruit danda et conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta, prefatus Willielmus Mure ballivus commissionarius antedictus virtute et vigore sui officii necnon de mandato et requestu speciale dicti resignantis propriis suis manibus statum et sasinam vitalis redditus pariter et possessionem corporalem actuaalem et realem Totius et integre predictae juste et equalis dimedietatis predicti tenementi sive pecie terre jacentis et bondati ut supra memorate Margarete Raynkin in vitali reddito pro omnibus sue vite diebus per terre et lapidis fundi ejusdem sibi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit et deliberavit secundum formam et tenorem resignationis prescripte Tenende de prefato supremo domino nostro rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum super quibus omnibus et singulis premissis prefata Margareta a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum predicti tenementi horam circiter octavam mane aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Andrea Henrysoun textore et Joanne Gibsoun burgensibus de Irwing Roberto Steuart filio legitimo secundo genito Jacobi Steuart prepositi civitatis Glasguensis Willielmo Stevinsoun et Jacobo Broun serjiandis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR MARGARET RAYNKINE, RELICT OF THE DECEASED PETER
RANDELL, Etc.

Instrument narrating that a prudent man, David Tueidy, younger, saddler, burgess of Irvine, compeared personally upon the ground of that his tenement or piece of land, belonging to him heritably, lying within the said burgh, upon the hill called M'Mishert Hill, between the lands or tenement of the late John Bar on the one side, and the lands or tenement of ——— on the other side: And there the said David, not led by force or fear, nor fallen in error, nor circumvented by fraud or guile, but of his own mere pure, free, and spontaneous will, for the singular love, grace, and favour which he had and bare towards Margaret Raynkin, relict of the late Peter Randell, burgess of the said burgh, but now his future spouse; and also in contemplation of the marriage to be solemnized between them, did surrender and purely and simply resign the just and equal half of the aforesaid tenement, in the hands of an honourable man, William Mure, one of the bailies commissioners of the said burgh, in the absence of the bailies principal of the same, in favour of and for this new infeftment to be given to the said Margaret, his future spouse, in liferent: Which resignation having been so made, and admitted and received by the said bailie, he, by virtue of his office, and at the mandate and special request of the resigner, did, with his own hands, give state and seizin, and also bodily possession of the said half of the tenement aforesaid, by delivery of earth and stone of the ground of the same to the said Margaret Raynkin, who was personally present and accepting thereof: These things were done on the ground of the said tenement, about the eighth hour of the morning of the last day of February 1617, the witnesses there present being Andrew Henrysoun, weaver, and John Gibsoun, burgesses of Irvine, Robert Stewart, second son of James Stewart, provost of the city of Glasgow, William Stevinsoun and James Broun, serjeants.

LXXXVII.—PRO JACOBO RAYNKINE ET AGNETE GARVEN
CONJUGIBUS.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo septimo mensis vero Marcii die quarto regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quadragesimo et decimo quarto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit providus vir Jacobus Raynken filius legitimus secundo genitus quondam Allani Raynkin in Sanct Wissingis super solum et fundum illius ejus borealis dimedietatis domus sive tenementi olim vaste jacentis infra burgum de Irwing ex occidentali latere vie regie ejusdem inter dictam viam regiam ex orientali et communem viam ducentem ad pontem vulgo lie Briggait ex australi partibus et portiunculam terre heredibus quondam Archibald Couper pertinentem ex boreali partibus ab una et aliis Necnon super solum et fundum australis ejus dimedietatis dicte domus sive tenementi perprius ad Archibaldum Lyn coriatorem et Margaretam Raynkin ejus sponsam pertinentis insimul et contigue predictae boreali dimedietati adjacentis Et ibidem dictus Jacobus non vi aut metu ductus nec errore lapsus fraude nec dolo aliquo circumventus sed sua mera libera et spontanea voluntate pro singularibus amore gratia et favore quos erga dilectam suam sponsam Jonetam Garven filiam legitimam Niniani Garven in Brigend Eglintoun habet et gerit necnon pro impletione et observatione unius ejus partis cujusdam contractus matrimonialis initi et confecti inter dictum quondam Allanum Rankyne et Katherinam Galstoun ejus sponsam dictumque Jacobum eorum filium ex una dictumque Ninianum Garven et Jonetam Galt ejus sponsam dictamque Jonetam Garven eorum filiam legitimam partibus ab altera de data apud Brigend Eglintoun vigesimo tercio die mensis Februarii anno domini millesimo sexcentesimo duodecimo Totas et integras predictas ejus duas equales dimedietates predicti tenementi sive domus supra specificati subtus et supra cum singulis suis pertinentiis ut supra jacentis In manibus honorabilis viri Willielmi Mure unius ballivorum comissionariorum dicti burgi in absencia ballivorum principalium ejusdem extra hoc regnum Scotie sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et

extradonavit imperpetuum unacum omnibus jure jurisque titulo interesse jurisclameo proprietate et possessione illi suisve heredibus et assignatis quibuscunque in et ad easdem competentibus in favores sui ipsius dicti Jacobi dicteque Jonete Garven sue sponse suorumque heredum et assignatorum ac pro hac nova sasina et infeodatione hereditarea per dictum ballivum illis eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreandis quibus deficientibus heredibus et assignatis dicti Jacobi quibuscunque hereditarie in debita in competenti forma prout congruit danda et conficienda Reservato tamen libero tenemento sive vitali redditu dicte borealis dimedietatis predicti tenementi dicte Katherine Galstoun matri dicti Jacobi durante omnibus sue vite diebus Ac etiam reservato prefato Archibaldo Lyne ejusque sponse eorumque heredibus et assignatis jure redemptionis dicte australis dimedietatis secundum tenorem reversionis per eum dictis conjugibus desuper concesse Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Willielmus Mure ballivus commissionarius antedictus virtute et vigore sui officii necnon de mandato speciale dicti resignantis propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actuaalem et realem Totius et integre predictae australis et borealis dimedietatis predicti tenementi sive domus subtus et supra cum singulis suis pertinentiis ut supra jacentis memoratis Jacobo Raynkin et Jonete Garven conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi ejusdem illis personaliter presentibus et manibus junctis acceptantibus traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie investivit secundum formam et tenorem infeofamentorum dicti Jacobi prius desuper confectorum ac resignationis predictae reservatis ut prius reservatis Tenende de prefato supremo domino nostro rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefati conjuges ac eorum quilibet pro semetipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et fundam dictarum dimedietatum respective prescriptarum horam circiter primam post meridiem sub anno die mense regnisque regis quibus supra Presentibus ibidem Stephano Quhyt seniore et Jacobo Blair juniore mercatore burgen-sibus de Irwing Magistro Joanne Garven in Dykheid Eglintoun Niniano

Garven apud Brigend Eglintoun Joanne Raynkin in Sanct Wissingis et Willielmo Stevinsoun serjiando cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

R. BROWN.

ABSTRACT.

FOR JAMES RAYNKINE AND ANGES GARVEN, SPOUSES.

Instrument narrating that a prudent man, James Raynken, second son of the deceased Allan Raynken in Saint Wissingis, compeared personally upon the ground of that his north half of the house or tenement formerly waste, lying within the burgh of Irvine, on the west side of the High Street thereof, between the said street on the east and the common way leading to the bridge, vulgarly the Briggait, on the south, and the small portion of land pertaining to the heirs of the late Archibald Couper on the north: also upon the ground of his south half of the said house, formerly pertaining to Archibald Lyn, currier, and Margaret Raynkin his spouse, lying together and contiguously to the aforesaid north half: And there the said James, of his own free will, and for the singular love, grace, and favour which he had and bare towards his beloved spouse Jonet Garven, daughter of Ninian Garven in Brigend Eglintoun, and for implement and observation of his part of a contract matrimonial begun and finished between the said Allan Rankyne and Katherine Galstoun his spouse, and the said James their son, on the one part, and the said Ninian Garven and Jonet Galt his spouse, and Jonet Garven their daughter, on the other part, of the date at Brigend Eglintoun, the 23rd day of February 1612, did surrender, and purely and simply resign, renounce, and overgive, by staff and baton, as the custom is, all and whole the aforesaid two equal halves of the said tenement or house, in the hands of an honourable man, William Mure, one of the bailies commissioners of the said burgh, in the absence of the bailies principals thereof furth of this realm of Scotland, in favour of himself, the said James, and the said Jonet Garven his spouse, and their heirs and assignees, and for this new seizin of the same to be given by the bailie to them or the survivor of them in conjunct fee, and to the heirs to be procreated between them, which failing, the heirs and assignees whatsoever of the said James heritably; reserving, however, the frank tenement and liferent of the said north half of the tenement to the said Katherine

Galstoun, mother of the resigner; and also reserving to the aforesaid Archibald Lyne and his spouse, their heirs and assignees, the right of redemption of the said south half, according to the tenor of a reversion granted by him to the said spouses: Which resignation having been duly made, and by the said bailie received, he gave seizin accordingly in the usual manner to the said James and Jonet his spouse, who were personally present and received the same with their hands joined together: Done on the ground of the said halves respectively, about the first hour after noon of the 4th day of March 1617, the witnesses being Stephan Quhyt, elder, and James Blair, younger, merchant, burgesses of Irvine, Mr. John Garven in Dykehead Eglintoun, Ninian Garven at Brigend, Eglintoun, John Raynkin in Saint Wissingis, and William Stevinsoun, serjeant.

LXXXVIII.—PRO JOANNE CRAIG ET MARIOTA FAULDIS EJUS
SPONSA.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo septimo mensis vero Marcii dei decimo quarto regnorumque septimi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quarto In mei notarii publici et testium subscriptorum presentibus personaliter comparuit providus vir Joannes Craig mercator cives civitatis Glasguensis super solum et fundum illius sui tenementi terre subscripti jacentis infra burgum de Irwing ex occidentali latere vie regie ejusdem inter tenementum et terras Hugonis Scott urbis prefecti dicti burgi de Irwing ex boreali et tenementum heredum quondam Niniani Weir ex australi partibus ab una et aliis Et ibidem dictus Joannes non vi aut metu ductus nec errore lapsus fraude nec dolo aliquo circumventus sed sua mera libera et spontanea voluntate pro singularibus amore gratia et favore quos erga dilectam suam sponsam Mariotam Fauldis filiam legitimam Archibaldi Fauldis mercatoris burgensis de Glesgow habet et gerit necnon pro observatione et impletione unius ejus partis cujusdam litere contractus matrimonialis inter eum et dictam suam sponsam initi et confecti de data apud Glesgow vigesimo tercio die mensis Januarii anno domini millesimo sexcentesimo decimo septimo instantis totum et integrum predictum suum tenementum terre ante et retro subtus et supra

cum horto aggere et singulis suis pertinentiis ut supra jacens excepta et reservata tamen posteriore superiore aula in area dicti tenementi in quo dictus Joannes minime infeodatus existit In manibus honorabilis viri Willielmi Mure unius ballivorum commissionariorum dicti burgi de Irwing in absencia ballivorum principalium ejusdem extra regnum Scotie sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum unacum omnibus jure titulo et interesse sibi suisve heredibus et assignatis in et ad predictum tenementum competentibus In favores sui ipsius prefateque Mariote Fauldis sue future sponse ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum illis eorumque alteri diutius viventi in conjuncta infeodatione et vitali redditu heredibusque inter eos legitime procreatis seu procreandis Quibus deficientibus dicto Joanni suisque legitimis et propinquioribus heredibus et assignatis quibuscunque de toto et integro predicto tenemento terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis ut supra jacente (excepta dicta superiore posteriore aula in area dicti tenementi) danda et conficienda Reservato tamen Roberto Craig patri dicti Joannis suo vitali redditu totius et integri predicti tenementi cum pertinentiis pro omnibus sue vite diebus Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Willielmus Mure ballivus commissionarius antedictus virtute et vigore sui officii necnon de mandato speciale dicti Joannis resignantis propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem totius et integri predicti tenementi terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis ut supra jacentis (excepta tamen predicta posteriore superiore aula) memoratis Joanni Craig et Mariote Fauldis conjugibus eorumque alteri diutius viventi in conjuncta infeodatione et vitali redditu per terre et lapidis fundi ejusdem dicto Joanni personaliter presenti et provide viro Archibaldo Fauldis fratri germano dicte Mariote tanquam certo et indubitato actornato et eo nomine dicte Mariote traditionem et deliberationem (de cujus actornatoriali potestate mihi notario publico et testibus subscriptis satis lucide constabat) dedit tradidit pariter et cum effectum hereditarie investivit secundum formam et tenorem dicte resignationis prescripte Reservato tamen vitali redditu totius et integri predicti tenementi cum pertinentiis prefato Roberto Craig patri dicti Joannis pro omnibus sue vite diebus Tenendi de prefato

supremo domino nostro rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus Joannes Craig pro semetipso necnon dictus Archibaldus Fauldis actornatus antedictus et eo nomine dicte Mariote quo supra a me notario publico sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi horam circiter nonam mane aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Jacobi Blair juniore mercatore Alexandro Cunyngham juniore mercatore Alexandro Galt mercatore burgensibus de Irwing Jacobo Tran filio legitimo tercio genito quondam Patricii Tran prefecti burgi de Irwing Jacobo Broun et Willielmo Stevinsoun serjiandis dicti burgi testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR JOHN CRAIG, AND MARION FAULDS HIS SPOUSE.

Instrument narrating that a prudent man, John Craig, merchant, citizen of Glasgow, personally compeared upon the ground of that his tenement of land lying within the burgh of Irvine, on the west side of the High Street thereof, between the tenement and lands of Hugh Scott, provost of the said burgh, on the north, and the tenement of the heirs of the deceased Ninian Weir on the south: and there the said John, of his own free will, and for the singular love, grace, and favour which he had and bare towards his beloved spouse, Marion Faulds, daughter of Archibald Faulds, merchant, burgess of Glasgow, and for observing and fulfilling of his part of the matrimonial contract between them, of the date at Glasgow the 23rd day of January 1617, did surrender, and purely and simply resign, renounce, and overgive all and whole his tenement of land aforesaid, with yard, tailing rig and pertinents, excepting, however, the back upper hall in the area of the said tenement, wherein the said John was not infeft, by staff and baton, in the hands of an honourable man, William Mure, one of the bailies commissioners of the burgh of Irvine, in the absence of the bailies principal furth of the kingdom of Scotland, in favour of himself and the said Marion Faulds

his future spouse, and for this new seizin and heritable infeftment of the same to be given by the said bailie to them, and the survivor of them, in conjunct fee and liferent, and to the heirs lawfully procreated or to be procreated between them, which failing, to the said John and his heirs whatsoever, heritably, reserving, however, to Robert Craig, his father, his liferent of the said tenement: Which resignation having been so made, and by the bailie admitted and received, he gave seizin accordingly, by delivery of earth and stone of the ground of the said tenement to the said John, personally present, and to a prudent man, Archibald Faulds, brother-german of the said Marion, as attorney for her: These things were done on the ground aforesaid, about the ninth hour of the morning of the 14th day of March 1617; the witnesses there present being James Blair, younger, merchant, Alexander Galt, merchant, burgesses of Irvine, James Tran, third son of the late Patrick Tran, provost of Irvine, James Broun and William Stevinsoun, serjeants of the said burgh.

LXXXIX.—PRO MARIOTA FAULDIS.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo septimo mensis vero Marcii die decimo quarto regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quarto In mei notarii publici et testium subscriptorum presentis personaliter comparuit providus vir Joannes Craig mercator cives civitatis Glasguensis super solum et fundum illarum suarum viginti solidatarum terrarum antiqui extentus vulgariter vocatarum Logane's Land jacentium in parochia de Dreghorne balliatu de Cunyngham et infra vicecomitatum de Air Et ibidem dictus Joannes pro singularibus amore gratia et favore quos habet et gerit erga dilectam suam sponsam Mariotam Fauldis filiam legittimam Archibaldi Fauldis mercatoris civis civitatis Glasguensis necnon pro observatione et impletione unius ejus partis cujusdam contractus matrimonialis initi et confecti inter eum dictamque suam sponsam ejusque patrem partibus ab una et aliis de data apud Glesgow vigesimo tercio die mensis Januarii anni domini millesimo sexcentesimo decimi septimi instantis propriis suis manibus statum et sasinam vitalis redditus pariter

et possessionem corporalem actualem et realem totarum et integrarum prefatarum viginti solidatarum antiqui extentus terrarum vulgariter vocatarum Logane's Land cum domibus edificiis hortis annexis connexis partibus pendiculis et singulis suis pertinentiis quibuscunque ut supra jacentium memorate Mariote Fauldis sue conjugii in vitali reddito pro omnibus sue vite diebus per terre et lapidis fundi ejusdem discreto adolescenti Archibaldo Fauldis fratri germano dicte Mariote tanquam certo et indubitato actornato et eo nomine dicte Mariote traditionem et deliberationem (de cujus actornatoriali potestate mihi notario publico testibus subscriptis satis lucide constabat) dedit tradidit et deliberavit Tenendarum de prefato Joanne suisque heredibus successoribus et assignatis in libera alba firma pro solutione annuatim unius denarii argenti monete Scotie in die festi Penthecostes super solo dictarum terrarum nomine albe ferme si petatur tantum Reservato tamen libero tenemento seu vitali reddito predictarum terrarum Roberto Craig patri dicti Joannis durante omnibus sue vite diebus secundum formam et tenorem carte albe firme dicte Mariote desuper conficiende Super quibus omnibus et singulis premissis prefatus Archibaldus Fauldis actornatus antedictus et eo nomine dicte Mariote quo supra a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dictarum terrarum horam circiter terciam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Alexandro Cunynghame juniore mercatore burgensi de Irwing Jacobo Tran filio legitimo tercio genito quondam Patricii Tran prefectorum burgi de Irwing Roberto Galt in Dreghorne Jacobo Gilruiff ibidem et Jacobo Broun uno officiariorum burgi de Irwing testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR MARION FAULDS.

Instrument narrating that a prudent man, John Craig, merchant, citizen of Glasgow, compeared personally upon the ground of his twenty shilling lands of old extent, commonly called Logane's Land, lying in the parish of Dreghorn, bailiery of Cunyngham, and within the sheriffdom of Ayr; and there the said John, for the singular love which he had and bare towards his beloved spouse Marion Faulds, daughter of Archibald Faulds, merchant, citizen of Glasgow, and in implement of their marriage-contract of date at Glasgow the 23rd day of January 1617, did with his own hands give state, liferent seizin, and bodily possession, actual and real, of all and whole the said lands, with houses, yards, etc., to the aforesaid Marion Faulds his wife, in liferent, by delivery of earth and stone of the ground thereof to a discreet young man, Archibald Faulds, brother-german of the said Marion, and as her certain and undoubted attorney and in her name, as was clearly known to the notary and witnesses: To be holden of the aforesaid John and his heirs in free blench ferme, for the payment yearly of one penny of silver of the money of Scotland at Whitsunday, on the ground of the said lands, if asked only: Reserving the frank tenement or liferent of the aforesaid lands to Robert Craig, father of the said John: Done on the ground aforesaid, about the third hour after noon of the 14th day of March 1617, the witnesses there present being Alexander Cunynghame, younger, merchant, burgess of Irvine, James Tran, third son of the late Patrick Tran, provost of Irvine, Robert Galt in Dreghorn, James Gilruiff there, and James Broun, one of the officers of the burgh of Irvine.

XC.—PRO MAGISTRO ROBERTO PEIBLIS EJUSQUE SPONSA.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo septimo mensis vero Aprilis die undecimo regnorum-que supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quinto In mei notarii publici et testium subscriptorum presentiis personaliter constitutus honorabilis vir Andreas Tran unus ballivorum commissionariorum

burgi de Irwing in absencia ordinariorum ballivorum ejusdem Quia sibi clare constabat et notum fuit per autentica documenta et sasine instrumenta publice sibi ostensa perlecta et demonstrata quod quondam Robertus Peiblis unus ballivorum dicti burgi de Irwing pater Magistri Roberti Peiblis latoris presentium obiit ultimo vestitus et sasitus ut de feodo ad pacem et fidem dicti supremi domini nostri regis in totis et integris illis duobus tegulatis tenementis terre cum pertinentiis contigue jacentibus infra dictum burgum de Irwing in via marina ejusdem ex occidentali vici regii ejusdem inter tenementum olim quondam Hugonis Young nunc vero ——— ex boreali et tenementum ——— Mitchell ex australi partibus ab una et aliis cum horto inde sequente et singulis suis pertinentiis Et quod dictus Magister Robertus est legitimus et propinquior heres ejusdem dicti quondam Roberti sui patris de totis et integris predictis duobus tenementis tegulatis terre ante et retro subtus et supra cum horto et singulis suis pertinentiis insimul et contigue ut premittitur jacentibus Et quod est legitime etatis Et quod eadem de prefato supremo domino nostro rege tenentur in capite more burgali Propterea prefatus Andreas Tran ballivus commissionarius antedictus virtute et vigore sui officii propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totorum et integrorum prefatorum duorum tenementorum terre ante et retro subtus et supra cum horto et singulis suis pertinentiis ut supra jacentium memorato Magistro Roberto Peiblis tanquam filio legitimo et propinquiori heredi ejusdem dicti quondam Roberti sui patris per terre et lapidis fundorum eorundem illi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie deliberavit secundum tenorem infeofamentorum dicti quondam sui patris que de eisdem inde habet salvo jure cujuslibet Tenendorum de dicto supremo domino nostro rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum In super prefatus Magister Robertus pro singularibus amore gratia et favore quos erga dilectam suam sponsam Margaretam Dunbar filiam legitimam Magistri Georgii Dunbar ministri verbi Dei apud ecclesiam burgi de Air habet et gerit Necnon pro observatione et impletione unius ejus partis cujusdam contractus matrimonialis initi et confecti inter eum ejusque conjugem illiusque patrem predictum partibus ab una et aliis de data ——— Tota et integra predicta illa duo sua tenementa

terre ante et retro subtus et supra cum horto et singulis suis pertinentiis ut supra jacentia unacum omnibus jure titulo et interesse sibi suisve heredibus et assignatis in et ad eadem competentibus In manibus predicti ballivi commissionarii antedicti sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum In favores ac pro hac nova sasina et infeodatione hereditarea per dictum ballivum sibi dicto Magistro Roberto dicteque Margarete Dunbar ejus sponse eorumque alteri diutius viventi in conjuncta infeodatione et vitali redditu heredibusque inter eos legitime procreatis seu procreandis quibus deficientibus legitimis et propinquioribus heredibus et assignatis dicti Magistri Roberti quibuscunque hereditarie in debita et competenti forma prout congruit danda et conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Andreas Tran ballivus commissionarius antedictus virtute et vigore sui officii necnon de mandato speciale dicti resignantis propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totorum et integrorum predictorum duorum tenementorum terre ante et retro subtus et supra cum horto et singulis suis pertinentiis ut supra jacentium memorato Magistro Roberto Peiblis et Margarete Dunbar ejus conjugii eorumque alteri diutius viventi in conjuncta infeodatione et vitali redditu per terre et lapidis fundorum eorundem illis personaliter presentibus et manibus junctis acceptantibus traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie investivit secundum tenorem resignationis prescripte ac contractus matrimonialis supra specificati Tenendorum de dicto supremo domino nostro rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefati Magister Robertus ejusque sponsa predicta ac eorum quilibet pro semetipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda dictorum duorum tenementorum respective predictorum horam circiter quartam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Willielmo Caulduel piscatore in Siegait Adamo Jack servitore comitis de Eglintoun Jacobo Brown et Willielmo Stevinsoun serjiandis dicti burgi cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

R. BROWN.

ABSTRACT.

FOR MASTER ROBERT PEIBLIS AND HIS SPOUSE.

Instrument narrating that in presence of the notary and witnesses there compeared an honourable man, Andrew Tran, one of the bailies commissioners of the burgh of Irvine, in the absence of the ordinary bailies thereof; and because it was clearly known to him by authentic documents and instruments of seizin, publicly shown and read to him, that the late Robert Peiblis, one of the bailies of the said burgh, father of Mr. Robert Peiblis, the bearer hereof, died last vest and seized as of fee, at the peace and faith of our sovereign lord the king, in all and whole those two tiled tenements of land, lying contiguously within the said burgh, in the Seagate of the same, on the west side of the High Street thereof, between the tenement sometime of the late Hugh Young, but now of ———, on the north, and the tenement of ——— Mitchell on the south, with the yard thereto belonging; and that the said Mr. Robert is lawful and nearest heir of the said Robert his father, in the said two tenements; and that he is of lawful age; and that they are held of the king in chief in burgage manner: Therefore the said Andrew Tran, bailie commissioner, in virtue of his office, did with his own hands give seizin to the said Mr. Robert of the said tenements, by delivery to him of the customary symbols: Moreover, the said Mr. Robert, for the singular love, grace, and favour which he bare towards his beloved spouse Margaret Dunbar, daughter of Mr. George Dunbar, minister of the Word of God at the kirk of Ayr, and for observing and fulfilling of one part of the contract of marriage between them, did then surrender and purely and simply resign the said two tenements in the hand of the said bailie, in favour of and for this new seizin thereof to be given by the bailie to the resigner himself, and the said Margaret his spouse, in conjunct fee, and to their heirs, heritably: Whereupon the bailie gave seizin accordingly to the said spouses, they receiving the symbols with their hands joined: Done upon the ground of the said two tenements respectively, about the fourth hour after noon of the 11th day of April 1617; witnesses, William Cauldwell, fisherman in Seagate, Adam Jack, servitor to the Earl of Eglintoun, James Brown and William Stevinsoun, serjeants.

XCI.—PRO MARGARETA HAMMILTOUN SPONSA FUTURA
JOANNIS DEYNE.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo septimo mensis vero Aprilis die ultimo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quinto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit providus vir Joannes Deyn senior nauta burgensis burgi de Irwing super solum et fundum illius sui posterioris tenementi terre subscripti jacentis in burgo de Irwing ex orientali latere communis vie regie ejusdem inter tenementum antierius prefati Joannis ex ——— tenementum Hugonis Scott ex boreali et tenementum heredum quondam Joannis Peiblis de Brumlandis ex australi partibus ab una et aliis comprehendentis in se aulam inferiorem cubiculum omnesque alias domus infra aream dicti tenementi jacentes unacum horto horreo et aggere vulgo lie tailling rig et singulis suis pertinentiis Et ibidem prefatus Joannes pro singularibus amore gratia et favore quos erga Margaretam Hammiltoun suam futuram sponsam habet et gerit necnon in contemplatione matrimonii inter eos breviter Deo favente solempnizandi Totum et integrum predictum ejus posterius tenementum comprehendens in se predictam posteriorem inferiorem aulam omnesque alias domus infra aream predictam jacentes unacum dicto horto horreo aggere et singulis suis pertinentiis ut supra jacens In manibus honorabilis viri Adami Cunyngham unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit unacum omnibus jure titulo et interesse sibi suisve heredibus et assignatis quibuscunque in et ad eundem competentibus In favores ac pro hac nova sasina et infeodatione per dictum ballivum prefate Margarete Hammiltoun sue future sponse in vitali redditu pro omnibus illius vite diebus in debita et competenti forma prout congruit danda et conficienda Qua resignatione sic ut premititur facta debite et legitime per dictum ballivum admissa et recepta prefatus Adamus Cunynghame ballivus antedictus virtute et vigore sui officii necnon de mandato speciale dicti resignantis propriis suis manibus statum et sasinam vitalis redditus pariter et possessionem corporalem

actualem et realem Totius et integri predicti posterioris tenementi terre comprehendentis in se domos particulariter supra specificatas hortum horreum et aggerem suprascriptos cum singulis suis pertinentiis quibuscunque ut premittitur jacentis memorate Margarete Hammiltoun in vitali redditu pro omnibus sue vite diebus per terre et lapidis fundi ejusdem dicte Margarete personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit et deliberavit secundum formam et tenorem dicte resignationis prescripte Tenendi de dicto supremo domino nostro rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefata Margareta Hammiltoun a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum predicti posterioris tenementi horam circiter quartam post meridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Jacobo Blair mercatore ac fratre germano Joannis Blair ballivi Roberto Burnes et Abrahamo Howie burgensibus dicti burgi Archibaldo Deyne filio legitimo secundo genito dicti Joannis Roberto Craig burgensi de Irwing Willielmo Stevenson et Jacobo Broun serjiandis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR MARGARET HAMMILTOUN, FUTURE SPOUSE OF JOHN DEYNE.

Instrument narrating that a prudent man, John Deyne, elder, sailor, burgess of Irvine, compeared personally on the ground of that his back tenement of land lying in the said burgh, on the east side of the High Street thereof, between the fore tenement of the said John on the ———, the tenement of Hugh Scott on the north, and the tenement of the heirs of the late John Peiblis of Brumlands on the south, comprehending in itself the lower hall, chamber, and all other houses lying within the area of the said tenement, together with the yard, barn, and tailing rig, and their pertinents; and there the said John, for the singular love, grace, and favour which he had and bare towards Margaret Hammiltoun his future spouse, and in contemplation of the marriage by the favour of God to

be shortly solemnized between them did surrender and purely and simply resign the aforesaid tenement, etc., in the hands of an honourable man, Adam Cunyngham, one of the bailies of Irvine, in favour of and for this new seizin to be given to the said Margaret in liferent: which resignation having been so made, and by the bailie admitted and received, the latter, by virtue of his office, and by the special mandate of the resigner, did with his own hands give state and seizin of the said tenement, comprehending as above, to the said Margaret Hammiltoun in liferent, she being personally present and accepting of the same: These things were done on the ground of the said back tenement, about the fourth hour after noon of the last day of April 1617; the witnesses there present being James Blair, merchant, and brother-german to John Blair, bailie, Robert Burnes and Abraham Howie, burgesses of Irvine, Archibald Deyne, second lawful son of the said John, Robert Craig, burgess, and William Stevinsoun and James Broun, serjeants.

XCII.—PRO ELSPETA FLEYMING ET JOANNE CALDERWOD
FUTURIS CONJUGIBUS.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo septimo mensis vero Maii die decimo septimo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quinto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit honorabilis vir Andreas Tran unus ballivorum commissionariorum dicti burgi de Irwing in absencia ordinariorum ballivorum ejusdem super solum et fundum tenementi sive aggeris terre subscripti olim ad quondam Thomam Fleyimming burgensem dicti burgi hereditarie pertinentis jacentis infra dictum burgum de Irwing ad caput vie ecclesiastice ejusdem inter tenementum quondam Eduardi Reid nunc vero ——— ex boreali et tenementum quondam Patricii Kyle nunc vero ——— ex australi partibus ab una et aliis Et ibidem quia sibi clare constabat et evidenter notum fuit per autentica documenta et sasine instrumenta publice sibi ostensa perlecta et demonstrata quod dictus quondam Thomas Fleyimming pater Elspete Fleyming latricis presentium obiit ultimo vestitus et sasitus ut de feodo ad pacem et fidem dicti supremi domini

nostri regis in toto et integro predicto illo tenemento sive aggere terre cum suis pertinentiis Et quod dicta Elspeta est sola filia et propinquior heres ejusdem dicti quondam Thome sui patris de dicto tenemento sive aggere terre cum pertinentiis Et quod est legitime etatis Et quod predictum tenementum cum pertinentiis de supremo domino nostro rege tenetur in capite more burgali Propterea prefatus Andreas Tran ballivus commissionarius antedictus virtute et vigore sui officii propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualement et realem Totius et integri predicti tenementi terre sive aggeris cum singulis suis pertinentiis ut supra jacentis memorate Elspete Fleyming tanquam sole filie legitime et propinquiori heredi antedicti quondam Thome sui patris per terre et lapidis fundi ejusdem ille personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie investivit secundum formam et tenorem infeofamenti dicti quondam sui patris quod de eisdem inde habet salvo jure cujuslibet Tenendi de prefato supremo domino nostro rege suisque successoribus more burgali Quibus peractis prefata Elspeta Fleyming non vi aut metu ducta nec errore lapsa fraude nec dolo aliquo circumventa sed sua mera pura libera et spontanea voluntate pro singularibus amore gratia et favore quos erga providum virum Joannem Calderwod ejus futurum maritum habet et gerit Necnon pro observatione et impletionem unius ejus partis cujusdam contractus matrimonialis initi et confecti inter eos et breviter Deo favente solempnizandi Totum et integrum predictum ejus tenementum terre cum singulis suis pertinentiis ut supra jacens Unacum omnibus jure titulo et interesse quocunque sibi in et ad eundem competentibus In manibus predicti Andree Tran ballivi commissionarii antedicti sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum In favores ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum dicto Joanni ejus future sponse (nomine dotis propter nuptias) et sibi dicte Elspethe eorumque alteri diutius viventi in conjuncta infeodatione et vitali reddito heredibusque inter eos legitime procreatis seu procreandis quibus deficientibus dicto Joanni suisque legitimis et propinquioribus heredibus et assignatis quibuscunque hereditarie in debita et competenti forma per dictum ballivum desuper danda et conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum commissionarium antedictum admissa et recepta prefatus Andreas Tran ballivus commissionarius ante-

dictus virtute et vigore sui officii necnon de mandato speciale dicte resignantis propriis suis manibus statum et sasnam hereditaream pariter et possessionem corporalem actualem et realem Totius et integri predicti tenementi sive aggeris terre cum singulis suis pertinentiis ut supra jacentis memoratis Joanni Calderwod et Elspete Fleyming futuris conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi ejusdem illis personaliter presentibus et manibus junctis pro se eorumque heredibus et assignatis supra scriptis quibus deficientibus ut supra acceptantibus traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie secundum formam et tenorem dicte resignationis contractusque matrimonialis prescripti eo circa confecti deliberavit Tenendi de prefato supremo domino nostro rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefati Joannes et Elspetha futuri conjuges ac eorum quilibet pro semetipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi horam circiter octavam mane aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Willielmo Mure altero ballivorum commissionariorum dicti burghi Jacobo Quhyt mercatore Allano Ros pellione Willielmo Mure fabro lignario burgensibus dicti burghi et Willielmo Stevinsoun serjiando cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR ELSPETH FLEYMING AND JOHN CALDERWOD, FUTURE SPOUSES.

Instrument narrating that in presence of the notary and witnesses there compeared personally an honourable man, Andrew Tran, one of the bailies commissioners of the burgh of Irvine, in the absence of the ordinary bailies thereof, upon the ground of the tenement or rig of land pertaining formerly to the late Thomas Fleymming, burgess of the said burgh, heritably, lying within the same burgh of Irvine, at the head of the Kirkgate thereof, between the tenement of the late Edward Reid, but now of ———, on the north, and the tenement of the late Patrick Kyle, but

now of ———, on the south ; and there, because it was clearly known to him by authentic documents publicly shown and read, that the said Thomas Fleymming, father of Elspeth Fleymming, bearer of these presents, died last vest and seized as of fee, at the peace and faith of the king, in the aforesaid tenement ; and that the said Elspeth is only daughter and nearest heir of the said Thomas, of the same, and that she is of lawful age ; and that the tenement aforesaid is held of the king in chief, burgage-wise : therefore the said bailie, by virtue of his office, did with his own hands give state and heritable seizin of the said tenement or rig to the aforesaid Elspeth Fleymming, as only daughter and heir of the said Thomas, by delivery to her, personally present and accepting, of earth and stone of the ground thereof : Which having been done, the said Elspeth, of her own free will, and for the singular love, grace, and favour which she had and bare towards a prudent man, John Calderwod, her future husband, and for observing her part of the contract of marriage begun and perfected between them, and by the favour of God to be shortly solemnized, did surrender, and purely and simply resign her tenement of land aforesaid, in the hands of the said bailie, for this new heritable seizin to be given to the said John her future spouse (in name of dowry in view of their wedding), and to herself, and the survivor of them, in conjunct fee and liferent, and to the heirs of the marriage, which failing, to the said John and his heirs and assignees whatsoever, heritably ; whereupon the bailie gave seizin accordingly : Done upon the ground of the said tenement, about the eighth hour of the morning of the 17th day of May 1617 ; the witnesses present being William Mure, one of the bailies commissioners of the said burgh, James Quhyt, merchant, Allan Ros, skinner, William Mure, wright, burgesses, and William Stevinsoun, serjeant.

XCIII.—SASINA JOANNIS WALKER PELLIONIS.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo septimo mensis vero Maii die decimo septimo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quinto In mei notarii publici et testium subscriptorum presentibus personaliter comparuerunt probe persone David Walker pellio burgensis

burgi de Irwing et Joneta Watsoun ejus sponsa super solum et fundum illius (borealis) tenementi terre illis hereditarie pertinentis et perprieus Alexandro Cunyngham juniore mercatori burgensi dicti burgi jacentis infra dictum burgum de Irwing ex orientali latere communis vie regie ejusdem inter aliud tenementum dicti Davidis predicto (boreali) tenemento insimul et contigue adjacens ex ——— et tenementum Davidis Speir fullonis burgensis dicti burgi ex ——— partibus ab una et aliis Et ibidem dicti David et Joneta conjuges non vi aut metu dicti nec errore lapsi fraude nec dolo aliquo circumventi sed suis meris puris liberis et spontaneis voluntatibus pro singularibus amore gratia et favore quos erga probum adolescentem Joannem Walker filium legitimum natu maximum dicti Davidis inter eum et quondam ——— Daill ejus primam conjugem habent et gerent necnon pro diversis aliis bonis et rationabilibus causis et considerationibus eos ad hoc moventibus unanimi consensu et assensu totum et integrum predictum eorum (boreale) tenementum terre ante et retro subtus et supra comprehendens in se hortum horreum borealem aggerem vulgo lie north rig predicto tenemento adjacentem cum singulis suis pertinentiis ut predicatur jacens unacum omnibus jure titulo interesse jurisclameo proprietate et possessione tam petitorio quam possessorio que sue quas dicti David et Joneta conjuges eorumve heredes successores aut assignati in et ad eundem seu aliquam earundem partem habere clamare vel pretendere poterint in futurum In manibus honorabilis viri Andree Tran unius ballivorum commissionariorum dicti burgi in absentia ballivorum principalium ejusdem sursum reddiderunt pureque et simpliciter per fustim et baculum ut moris est resignarunt renunciarunt et extradonarunt imperpetuum In favorem prefati Joannis Walker filii legitimi natu maximi dicti Davidis heredum suorum et assignatorum subscriptorum ac pro hac nova sasina et infeodatione hereditaria ejusdem tenementi terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis ut premittitur jacentis prefato Joanni Walker heredibusque de corpore suo legitime procreandis tantummodo Quibus deficientibus dicto Davidi suisque heredibus et assignatis quibuscunque hereditarie et irredimabiliter absque aliqua reversione redemptione seu regressu quocunque in futurum per dictum ballivum in debita et competenti forma prout congruit danda et conficienda Reservatis tamen vitalibus redditibus dictorum Davidis et Jonete conjugum eorumque alteri diutius viventi pro omnibus eorum vite diebus tantummodo Qua resignatione sic ut premittitur facta et per dictum ballivum debite et

legitime ut predicatur admissa et recepta prefatus Andreas Tran ballivus commissionarius antedictus virtute et vigore sui officii personaliter super fundum dicti tenementi existens et de mandatis dictorum resignantium propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem totius et integri predicti borealis tenementi terre ante et retro subtus et supra cum horto horreo aggere et singulis suis pertinentiis ut premittitur jacentis memorato Joanni Walker per terre et lapidis fundi ejusdem illi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie et irredimabiliter sine aliqua redemptione aut regressu quocunque ut predicatur deliberavit Reservatis ut prius reservatur secundum formam et tenorem dicte resignationis prescripte Tenendi de dicto supremo domino nostro rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus Joannes Walker a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum predicti borealis tenementi terre horam circiter nonam mane aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Willielmo Mure altero ballivorum commissionariorum dicti burgi Jacobo Quhyt mercatore Allano Ros pellione Willielmo Mure fabro lignario Alexandro Cunyngham juniore mercatore Willielmo Stevinsoun et Jacobo Broun serjiandis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

SEIZIN OF JOHN WALKER, SKINNER.

Instrument narrating that the worthy persons, David Walker, skinner, burgess of Irvine, and Jonet Watsoun his spouse, compeared personally upon the ground of that north tenement of land pertaining heritably to them, and formerly to Alexander Cunynghame, younger, merchant, burgess of Irvine, lying within the same burgh, on the east side of the common High Street thereof, between another tenement of the said David, lying together and contiguously with the aforesaid north tenement, on the one side, and the tenement of David Speir, fuller, burgess of Irvine, on the other side; and there the said David and Jonet, of their own free will, and for

the singular love, grace, and favour which they had and bare towards a worthy young man, John Walker, eldest lawful son begotten between the said David and the late ——— Daill his first wife, and for divers other reasonable causes and considerations moving them thereto, did, with unanimous consent and assent, surrender and purely and simply resign the aforesaid north tenement of land, fore and back, below and above, comprehending the yard, barn, and north rig adjacent to the said tenement, in the hands of an honourable man, Andrew Tran, one of the bailies commissioners of the said burgh, in the absence of the bailies principal thereof, in favour of the aforesaid John Walker, and for this new seizin and heritable infeftment of the same to be by the said bailie given to him and the heirs of his body lawfully procreated only; which failing, to the said David and his heirs and assignees, heritably and irredeemably; reserving, however, the liferents of the said David and Jonet, and the survivor of them: Which resignation having been so made, and by the bailie admitted and received, he, being personally upon the ground of the said tenement, in virtue of his office, and on the mandate of the resigners, did, with his own hands, give state and seizin of the aforesaid tenement, etc., to the said John Walker, who was personally present, by delivery to him of earth and stone of the ground of the same: Done upon the said ground, about the ninth hour of the morning of the 17th day of May 1617; the witnesses there present being William Mure, another of the bailies commissioners of the said burgh, James Quhyt, merchant, Allan Ros, skinner, William Mure, wright, Alexander Cunyngham, younger, merchant, William Stevinsoun and James Broun, serjeants.

XCIV.—PRO DAVIDE WALKER JUNIOR.

Anno domini millesimo sexcentesimo decimo septimo in mensis vero Maii die decimo septimo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quinto In mei notarii publici et testium subscriptorum presentiis personaliter comparuerunt probe persone David Walker pello burgensis burgi de Irwing et Joneta Watsoun ejus sponsa super solum et fundum illius eorum australis tenementi terre illis nunc hereditarie pertinentis et perprius Alexandro Cunynghame juniore mercatori burgensi dicti burgi jacentis infra dictum burgum de Irwing ex orientali

latere communis vie regie ejusdem inter tenementum dicti Davidis in quo nuperrime hodierno die Joannes Walker ejus filius legitimus primogenitus debite infeodatus existit insimul et contigue ex ——— latere predicti tenementi adjacens et tenementum Allani Ros pellionis ex ——— partibus ab una et aliis Et ibidem dicti conjuges unanimi consensu et assensu non vi aut metu ducti nec errore lapsi fraude nec dolo aliquo circumventi sed suis meris puris liberis et spontaneis voluntatibus pro singularibus amore gratia et favore quos erga probum puerum Davidem Walker eorum filium legitimum inter eos procreatum habent et gerent Necnon pro diversis aliis bonis et rationabilibus causis et considerationibus eos ad hoc ut asseruerunt moventibus Totum et integrum predictum eorum australe tenementum terre ante et retro subtus et supra cum australi horto et australi aggere predictum tenementum adjacentibus et sequentibus cum annexis connexis partibus pendiculis et singulis suis pertinentiis quibuscunque ut premittitur jacens unacum omnibus jure titulo interesse jurisclameo proprietate et possessione tam petitorio quam possessorio que seu quas dicti David et Joneta conjuges eorumve heredes successores aut assignati in et ad eundem seu aliquam ejusdem partem cum pertinentiis habere clamare vel pretendere poterint in futurum In manibus honorabilis viri Andree Tran unius ballivorum commissionariorum dicti burgi in absentia ballivorum principalium ejusdem sursum reddiderunt pureque et simpliciter per fustim et baculum ut moris est resignarunt renunciarunt et extradonarunt imperpetuum In favorem ac pro hac nova sasina et infeodatione hereditaria ejusdem per dictum ballivum prefato Davidi Walker juniori heredibusque suis de corpore sui legitime procreandis tantummodo Quibus deficientibus dicto Davidi suo patri suisque heredibus et assignatis quibuscunque hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu quocunque in futurum in debita et competenti forma prout congruit danda et conficienda Reservatis tamen vitalibus redditibus dictorum conjugum eorumque alteri diutius viventi eorundem pro omnibus eorum vite diebus Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum ut premittitur admissa et recepta prefatus Andreas Tran ballivus antedictus virtute et vigore sui officii Necnon de mandatis specialibus dictorum resignantium propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totius et integri predicti australis tenementi terre ante et retro subtus et supra cum australi horto et australi aggere eundem sequentibus cum annexis

connexis partibus pendiculis et singulis suis pertinentiis quibuscunque ut premittitur jacentis memorato Davidi Walker juniore suisque prescriptis quibus deficientibus ut supra revertendum per terre et lapidis fundi ejusdem illi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie et irre-dimabiliter sine aliqua reversione redemptione aut regressu in futurum deliberavit Reservatis ut superius reservatur secundum dicte resignationis tenorem in omnibus Tenendi de dicto supremo domino nostro rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus David Walker a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum predicti australis tenementi terre horam circiter nonam mane aut eo circa sub anno die mense regnisque regis quibus supra presentibus Willielmo Mure altero ballivorum commissionariorum dicti burgi Jacobo Quhyt mercatore Allano Ros pellione Willielmo Mure fabro lignario Alexandro Cunyngham juniore mercatore burgensibus dicti burgi Willielmo Stevensoun et Jacobo Broun serjiandis dicti burgi testibus ad premissa vocatis pariter-que rogatis.

R. BROUN.

ABSTRACT.

FOR DAVID WALKER YOUNGER.

Instrument narrating that the worthy persons, David Walker, skinner, burgess of Irvine, and Jonet Watson his spouse, personally compeared upon the ground of that south tenement of land now pertaining heritably to them, and formerly to Alexander Cunynghame, younger, merchant, burgess of Irvine, lying within the said burgh, on the east side of the High Street of the same, between the other tenement of the said David, in which a little while before, on this same day, John Walker, his first-born son, was duly infeft, lying together contiguously on the ——— side of the aforesaid tenement; and there the said spouses, of unanimous consent and assent, of their own free will, for the love, grace, and favour which they had and bare towards a good boy, David Walker, their lawful son begotten between them, did surrender and purely and simply resign their said south tenement of land, fore and back, below and above, with the south yard and

south rig adjacent thereto, in the hands of Andrew Tran, one of the bailies commissioners of the said burgh, in the absence of the bailies principal thereof, in favour of and for this new seizin and heritable infeftment to be given by the said bailie to the aforesaid David Walker, younger, and the heirs of his body to be lawfully procreated only; which failing, to the said David his father, his heirs and assignees whatsoever, heritably and irredeemably: Upon the which resignation so made the bailie gave seizin in the usual manner to the said David Walker, younger, who was personally present and accepting of the same: Done on the ground of the said south tenement, about the ninth hour of the morning of the 17th day of May 1617, the witnesses there present being the same as in the foregoing instrument.

XCV.—PRO ADAMO CUNYNGHAME MERCATORE EJUSQUE
SPONSA.

Anno domini millesimo sexcentesimo decimo septimo mensis vero Maii die vigesimo tercio regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quinto In mei notarii publici et testium subscriptorum presentiis personaliter comparuerunt probe persone Willielmus Cunynghame nauta burgensis burgi de Irwing et Mariota Cumming conjuges super sola et funda duorum tenementorum respective subscriptorum contigue et insimul jacentium perprius ad Robertum Cunynghame seniore burgensem dicti burgi pertinentium et quorum quarta pars nunc ad eos hereditarie pertinet Que quidem duo tenementa jacent infra burgum de Irwing ex orientali latere communis vie regie ejusdem inter tenementum Alexandri Patoun ex ——— et Davidis Dicky ex ——— partibus ab una et aliis Et ibidem dicti conjuges unanimi consensu et assensu non vi aut metu ducti nec errore lapsi fraude nec dolo aliquo circumventi sed suis meris puris liberis et spontaneis voluntatibus pro impletione et observatione unius eorum partis cujusdam dispositionis litere per eos de dicta eorum quarta parte predictorum duorum tenementorum provido viro Adamo Cunynghame uno ballivorum dicti burgi ejus fratri et Margarete Cunyngham ejus conjugii de data presentium confecte Totam et integram predictam quartam partem sive portionem predictorum duorum tenementorum insimul et contigue ut premittitur jacentium in manibus

honorabilis viri Willielmi Mure unius ballivorum commissionariorum dicti burgi in absencia alterius principalis ballivi ejusdem sursum reddiderunt pureque et simpliciter per fustim et baculum ut moris est resignarunt renunciarunt et extradonarunt imperpetuum unacum omnibus jure juristitulo interesse jurisclameo proprietate et possessione tam petitorio quam possessorio que seu quas dicti Willielmus ejusque sponsa predicta eorumve heredes successores aut assignati in et ad eandem quartam partem habuerunt habent seu quovismodo in futurum habere clamare vel pretendere poterint in futurum omnino quieteclamant imperpetuum in favorem prefatorum Adami et Margarete Cunynghames conjugum ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum totius et integre predictae eorum quarte partis predictorum duorum tenementorum ante et retro subtus et supra cum singulis suis pertinentiis dicte quarte parti correspondentibus dictis Adamo et Margarete Cunynghames conjugibus eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis Quibus deficientibus dicto Adamo suisque heredibus et assignatis quibuscunque hereditarie et irredimabiliter absque aliqua reversione redemptione aut regressu in debita et competenti forma prout congruit danda et concedenda Qua resignatione sic ut premittitur facta debite rite et legitime per dictum ballivum admissa et recepta prefatus Willielmus Mure ballivus commissionarius antedictus virtute et vigore sui officii necnon de mandatis specialibus dictorum resignantium propriis suis manibus statum et sasina hereditariam pariter et possessionem corporalem actuaalem et realem totius et integre predictae eorum quarte partis predictorum duorum tenementorum terre ante et retro subtus et supra cum singulis suis pertinentiis predictae quarte parti correspondentibus ut premittitur jacentium memoratis Adamo et Margarete Cunynghames conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi ejusdem dicto Adamo personaliter presenti et pro semet ipso suisque prescriptis acceptanti et provido viro Hugoni Lyn mercatori actornato et eo nomine dicte Margarete ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu quocunque in futurum secundum dicte dispositionis litere ac resignationis tenorem deliberavit Tenende de dicto supremo domino nostro rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum In super in presentia

dicti ballivi super sola et funda dictorum duorum tenementorum respective prescriptorum personaliter comparuit prefata Mariota Cummyng et ibidem extra presentiam prefati Willielmi sui mariti se ad premissa minime coactam aut compulsam fuisse sed eadem ex sua mera libera et spontanea voluntate fecisse et omnia et singula premissa sic ut premittitur facta ratificavit approbavit et sacrosanctis tactis Dei evangeliis de non revocando in futurum corporale suum prestitit juramentum Super quibus omnibus et singulis premissis prefatus Adamus pro se ipso necnon dictus Hugo Lyn actornatus antedictus et eo nomine dicte Margarete a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda dictorum duorum tenementorum respective prescriptorum horam circiter octavam mane aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Roberto Lowrie et Alexandro Galt mercatoribus burgensibus dicti burghi et Willielmo Stevinsoun serjiando cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR ADAM CUNYNGHAME, MERCHANT, AND HIS SPOUSE.

Instrument narrating that there compeared personally worthy persons, William Cunynghame, sailor, burgess of Irvine, and Marion Cummyng his spouse, upon the ground of two tenements lying contiguously and together, formerly belonging to Robert Cunynghame, elder, burgess of the said burgh, and the fourth part of which now pertains to them; which tenements lie within the burgh of Irvine, on the east side of the High Street thereof, between the tenement of Alexander Patoun on the one side, and that of David Dickie on the other; and there the said spouses, of one consent and assent, of their own free wills, and for implement of their part of a disposition granted by them to a prudent man, Adam Cunynghame, one of the bailies of the said burgh, brother of the said William, and to Margaret Cunynghame his spouse, did surrender and purely and simply resign the aforesaid fourth part of the said two tenements, in the hands of an honourable man, William Mure, one of the bailies commissioners of the said burgh, in the absence of the other principal bailie of the same, in favour of and for this new seizin and heritable

infetment to be given by the bailie to the said Adam and Margaret, and the survivor of them, in conjunct fee, and the heirs lawfully begotten or to be begotten between them, heritably; which failing, to the said Adam and his heirs and assignees whatsoever, heritably and irredeemably: Which resignation having been so made, duly and lawfully, and by the said bailie admitted and received, he, by virtue of his office, and at the special mandate of the said resigners, did with his own hands give state and heritable seizin, bodily, actual and real possession of the fourth part of the aforesaid two tenements to the said Adam and Margaret Cunynghame, spouses, by delivery of earth and stone of the ground thereof to the said Adam, personally present, and accepting for himself and his afore-written, and to a prudent man, Hugh Lyn, merchant, as attorney and in name of the said Margaret: Moreover, in presence of the said bailie and upon the ground of the said two tenements, the aforesaid Marion Cummyng compeared personally, and of her own will ratified and approved the premises, and gave her bodily oath, by touching the holy evangels of God, that she would not revoke the same in future: These things were done upon the ground aforesaid, about the eighth hour of the morning of the 23rd day of May 1617, the witnesses there present being Robert Lowrie and Alexander Galt, merchants, burgesses of the said burgh, and William Stevinsoun, merchant.

XCVI.—PRO JOANNE RAYNKINE.

Anno domini millesimo sexcentesimo decimo septimo mensis vero Maii die vigesimo septimo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quinto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit honorabilis vir Willielmus Mure unus ballivorum commissionariorum burgi de Irwing in absencia duorum ordinariorum ballivorum ejusdem extra hunc regnum Scotie super solum et fundum tenementi terre subscripti Et ibidem quia sibi clare constabat et notum fuit per autentica documenta et sasine instrumenta publice sibi ostensa perlecta et demonstrata quod quondam Jacobus Raynkin filius legitimus secundo genitus quondam Allani Raynkin in Sanct Wissingis frater germanus Joannis Raynkin in Sanct Wissingis latoris presentium obiit ultimo vestitus et sasitus ut de feodo ad pacem

et fidem dicti supremi domini nostri regis in tota et integra illa boreali dimedietate domus sive tenementi olim waste nunc vero edificati jacentis infra dictum burgum de Irwing ex occidentali latere communis vie regie ejusdem inter dictam viam regiam ex orientali et communem viam ducentem ad pontem vulgo vocatam lie Briggait ex australi et portiunculam waste terre heredibus quondam Archibaldi Cowper pertinentem ex boreali partibus ab una et aliis Necnon in tota et integra illa australi dimedietate predictae domus sive tenementi per prius ad Archbaldum Lyn coriatorem et Margaretam Rankyn ejus sponsam pertinente et per eos prefato quondam Jacobo suisque heredibus sub reversione summa unius centum mercarum monete Scotie alienata et impignorata Et quod dictus Joannes est legitimus et propinquior heres ejusdem dicti quondam Jacobi sui fratris germani de tota et integra predicta illa boreali et australi dimedietate dicte domus sive tenementi cum pertinentiis ut supra jacentis Et quod est legitime etatis Et quod de prefato supremo domino nostro rege suisque successoribus tenentur in capite more burgali Propterea prefatus Willielmus Mure ballivus commissionarius antedictus virtute et vigore sui officii propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem Totius et integre prefate borealis dimedietatis predictae domus sive tenementi subtus et supra cum pertinentiis necnon totius et integre prefate alterius australis dimedietatis predictae domus sive tenementi subtus et supra cum singulis suis pertinentiis eidem correspondentibus ut premittitur jacentis memorato Joanni Raynkinet tanquam fratri germano dicti quondam Jacobi sui fratris ac legitimo et propinquiori heredi dicti quondam sui fratris per terre et lapidis fundorum ejusdem respective et successive illi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie secundum tenorem infeofamenti dicti quondam sui fratris germani quod de eisdem inde habet deliberavit salvo jure cujuslibet Tenendarum de dicto supremo domino nostro rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Reservato tamen libero tenemento sive vitali reddito Katherine Galstoun matri dicti Joannis predictae borealis dimedietatis et Agneti Garven relicte dicte quondam Jacobi suo vitali reddito dicte borealis dimedietatis post decessum dicte Katherine ac etiam reservato libero tenemento seu vitali reddito dicte Agneti predictae australis dimedietatis Secundum tenores infeof-

amentorum illis et eorum alteri de super concessorum Necnon reservato juri redemptionis predictae australis dimedietatis tenementi predicti prefato Archibaldo Lyn suisque prescriptis secundum tenorem reversionis illi eo circa confecte Quibus peractis prefatus Joannes Raynkin non vi aut metu ductus nec errore lapsus fraude nec dolo aliquo circumventus sed sua mera pura libera et spontanea voluntate pro singularibus amore gratia et favore quos erga dilectam suam sponsam Margaretam Gray habet et gerit Totas et integras predictas ejus boreales et australes dimedietates predicti tenementi sive domus ut supra jacentis subtus et supra cum singulis suis pertinentiis unacum omnibus jure titulo et interesse sibi suisve heredibus eisdem competentibus In manibus predicti ballivi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum In favores ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum sibi sueque sponse predictae eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis quibus deficientibus dicto Jacobo suisque legitimis et propinquioribus heredibus et assignatis quibuscunque hereditarie eorundem in debita et competenti forma prout congruit danda et conficienda Qua resignatione sic facta et per dictum ballivum admissa et recepta prefatus Willielmus Mure ballivus commissarius antedictus virtute et vigore sui officii necnon de mandato speciale dicti resignantis propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totarum et integrarum predictarum borealium et australium dimedietatum predicti tenementi sive domus subtus et supra cum singulis suis pertinentiis ut supra jacentis memorato Joanni Raynkin et Margarete Gray conjugibus eorumque alteri diutius viventi in conjuncta infeodatione eorumque prescriptis per terre et lapidis fundorum earundem respective dicto Joanni personaliter presenti et Joanni Neilsoun notario tanquam actornato et eo nomine dicte Margarete deliberationem dedit tradidit pariter et cum effectu hereditarie secundum tenorem dicte resignationis prescripte imperpetuum deliberavit Reservatis ut prius reservatur Tenendarum de dicto supremo domino nostro rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum super quibus omnibus et singulis premissis prefatus Joannes Raynkin pro se ipso Necnon dictus Joannes Neilsoun actornatus antedictus et eo nomine dicte Margarete a me notario publico subscripto sibi fieri petierunt

hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda predictae australis et borealis dimedietatis tenementi sive domus predicti horam circiter duodecimam in meridie aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Jacobo Quhyt mercatore Jacobo Deyn Willielmo Mure fabro lignario burgensibus de Irwing Georgio Gray in Ormisheuch Petro Burnes coriatore burgensi dicti burgi Willielmo Stevinsoun et Jacobo Broun serjiandis dicti burgi testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR JOHN RAYNKINE.

Instrument narrating that in presence of the notary and witnesses, there compeared personally an honourable man, William Mure, one of the bailies commissioners of the burgh of Irvine, in the absence of the two ordinary bailies thereof furth of this kingdom of Scotland, upon the ground of the tenement of land underwritten, and there, because it was clearly known to him by authentic documents and instruments of seizin, publicly shown and read to him, that the late James Raynkin, second son of the late Allan Raynkin in Saint Wissings, brother-german of John Raynkin in Saint Wissings, bearer hereof, died last vest and seized as of fee, at the peace and faith of our sovereign lord the king, in all and whole that north half of the house or tenement, formerly waste, but now built, lying within the said burgh, on the west side of the High Street thereof, between the said street on the east and the common way leading to the bridge commonly called the Briggait, on the south, and the portion of waste land belonging to the heirs of the deceased Archibald Cowper, on the north; also in that south half of the aforesaid house or tenement formerly pertaining to Archibald Lyn, currier, and Margaret Raynkyn his spouse, and by them sold and wadset to the said James and his heirs, under reversion, for the sum of one hundred merks money of Scotland; and that the said John is lawful and nearest heir of the said James, his brother-german, of the aforesaid north and south halves of the said house or tenement; and that he is of lawful age; and that the subjects are held of the king in chief in manner of burgh: Therefore the said William Mure, bailie, by virtue of his office, gave seizin of the said north and south

halves of the tenement or house aforesaid, to the said John Raynkin, as brother-german and nearest heir of the said deceased James: Reserving, however, the frank tenement or liferent of the north half to Katherine Galston, mother of the said John, and to Agnes Garven, relict of the said James, her liferent of the said north half after the decease of the said Katherine: and also reserving to the said Agnes her liferent of the south half: also reserving the right of reversion to the aforesaid Archibald Lyn: Which having been done, the said John Raynkin, of his own free will, and for the love, grace, and favour which he had and bare towards his beloved spouse, Margaret Gray, did purely and simply resign the said north and south halves of the tenement aforesaid, in the hands of the bailie, for this new seizin thereof to be given to the resigner and his said spouse, in conjunct fee and liferent, and to their heirs, which was accordingly done, John Neilsoun, notary, receiving the symbols in name of the said Margaret Gray: Done about mid-day of the 27th day of May 1617; witnesses, James Quhyt, merchant, James Deyn, William Mure, wright, burgesses of Irvine, George Gray in Ormisheuch, Peter Burnes, currier, burgesses, William Stevinsoun and James Broun, serjeants of the said burgh.

XCVII.—PRO ALEXANDRO CUNYNGHAME JUNIORE DE
CORSHILL

Anno domini millesimo sexcentesimo decimo septimo mensis vero Junii die septimo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quinto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit honorabilis vir Alexander Cunynghame senior de Corshill super solum et fundum illarum ejus tredecim solidatarum et quatuor denariatarum terrarum antiqui extentus de Wester Pottertoun pro presenti per Joannem Roger occupatarum et possessarum jacentium in parochia et regalitate de Kilwynning balliatu de Cunyngham et infra vicecomitatum de Air Et ibidem dictus Alexander non vi aut metu ductus nec errore lapsus fraude nec dolo aliquo circumventus sed sua mera pura libera et spontanea voluntate pro singularibus amore gratia et favore quos erga honorabilem virum Alexandrum Cunyngham apparentem de Corshill ejus filium legitimum et heredem apparentem habet et gerit

ac pro ejus meliori supplemento et sustentatione in ejusmodi ordine et casu quo illius gradus et ordinis deceat durante vita dicti sui patris et pro majori habilitatione ad serviendum dicto suo patri temporibus futuris Propriis suis manibus statum et sasinam vitalis redditus pariter et possessionem corporalem actualem et realem Totarum et integrarum predictarum tredecim solidatarum et quatuor denariatarum terrarum antiqui extentus de Wester Pottertoun cum domibus edificiis hortis annexis connexis partibus pendiculis et singulis suis pertinentiis quibuscunque occupatarum et jacentium ut premittitur memorato Alexandro Cunyngham apparenti de Corshill ejus filio legitimo et heredi apparenti in vitali redditu pro omnibus ejus vite diebus tantummodo per terre et lapidis fundi ejusdem illi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu deliberavit secundum tenorem carte vitalis redditus dicto Alexandro juniore durante vita sua ut predicatur conficiende Super quibus omnibus et singulis premissis prefatus Alexander a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dictarum terrarum horam circiter duodecimam in meridie aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Roberto Broun de Burrowland Hugone Stevinsoun in Burrowland et Rankino Greg in Dowray cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR ALEXANDER CUNYNGHAME, YOUNGER, OF CORSHILL.

Instrument narrating that an honourable man, Alexander Cunynghame, elder, of Corshill, compeared personally upon the ground of those his thirteen shilling and fourpenny lands of old extent of Wester Pottertoun, presently occupied and possessed by John Roger, lying in the parish and regality of Kilwynning, bailiery of Cunyngham, and sheriffdom of Ayr; and there the said Alexander, of his own free will, and for the singular love, grace, and favour which he had towards an honourable man, Alexander Cunynghame, apparent of Corshill, his lawful son and heir-apparent, and for his better supply and sustentation in such quality and condition as becomes his rank, during the lifetime of his father, and for enabling him

better to be of service to him in time coming, did with his own hands give state and seizin of liferent, and also bodily, actual, and real possession of all and whole the aforesaid lands of Wester Pottertoun, to the said Alexander Cunynghame, younger, his son, by delivering to him, who was personally present and accepting thereof, of earth and stone of the ground of the said lands: These things were done on the ground aforesaid, about noon of the 7th day of June 1617, the witnesses there present being Robert Broun of Burrowland, Hugh Stevinsoun in Burrowland, and Rankin Greg in Dowray.

XCVIII.—PRO DAVIDE BARCLAY.

Anno domini millesimo sexcentesimo decimo septimo mensis vero Junii die decimo quinto regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hybernie regis fideique defensoris annis quinquagesimo et decimo quinto In mei notarii publici et testium subscriptorum presentis personaliter comparuit providus vir Jacobus Or in Quhorlhill tanquam actornatus et eo nomine discreti viri Davidis Barclay filii legitimi et heredis quondam Magistri Roberti Barclay de Brydskirk per literas actornatorias e cancellaria dicti supremi domini nostri regis directas super solum et fundum quadraginta solidatarum terrarum de Easter et Wester Lochheids cum pertinentiis jacentium in parochia de Lochquhinzeoch balliatu de Cunynghame baronia de Renfrew et infra vicecomitatum ejusdem Et ibidem dictus Jacobus Or actornatus antedictus habens et tenens suis in manibus quoddam sasine preceptum vocatum preceptum de clare constat factum datum et concessum per honorabilem virum Davidum Barclay de Ladyland superiorem annui redditus subscripti pro sasina hereditarea ejusdem dicto Davidi tanquam filio legitimo et propinquiore heredi dicti quondam sui patris danda provide viro Davidi Jamesoun in Quhytinghall ballivo dicti Davidis Barclay de Ladyland in hac parte directum Quodquidem sasine preceptum dictus Jacobus Or actornatus antedictus dicto Davidi Jamesoun ballivo in hac parte in dicto precepto specialiter nominato et constituto presentavit et deliberavit eumque humiliter requirens quatenus hujusmodi sasine preceptum debite executioni poneret et demandaret Qui vero ballivus in hac parte antedictus dictum sasine preceptum e manibus dicti Jacobi Or actornati antedicti recepit mihique notario publico subscripto perlegendum publi-

candum et in vulgari exponendum tradidit cujusquidem sasine precepti tenor sequitur verbatim et est talis

David Barclay nunc de Ladyland dominus superior annui redditus subscripti dilectis meis Davidi Jamesoun in Quhytinghall et vestrum cuilibet conjunctim et divisim ballivis meis in hac parte specialiter constitutis salutem Quia mihi clare constat et est notum per autentica documenta et sasine instrumenta publice mihi ostensa perlecta et demonstrata quod quondam Magister Robertus Barclay de Brydeskirk pater dilecti mei consanguinei Davidis Barclay latoris presentium obiit ultimo vestitus et sasitus ut de feodo ad pacem et fidem dicti supremi domini nostri regis in toto et integro uno annuo reddito triginta librarum usualis monete hujus regni Scotie annuatim levando et percipiendo ad duos anni terminos consuetos festa videlicet Penthecostes et Sancti Martini in hyeme per equales portiones de totis et integris illis quadraginta solidatis terrarum de Easter et Wester Lochheids cum pertinentiis vel de aliqua earundem parte jacentibus in parochia de Lochquhinzeoch baronia de Renfrew et infra vicecomitatum ejusdem Et quod dictus David Barclay est legitimus et propinquior heres ejusdem dicti quondam Magistri Roberti sui patris de toto et integro predicto annuo reddito et quod est legitime etatis Et quod dictus annuus redditus nunc de me tanquam domino superiore et successore quondam Davidis Barclay de Ladyland mei patris superioris dicti quondam Magistri Roberti tenetur in capite pro solutione annuatim unius denarii monete regni Scotie in die festi Penthecostes nomine albe firme si petatur tantum pro ut in autenticis documentis et sasine instrumentis desuper mihi ostensis latius continetur vobis igitur precipio et firmiter mando quatenus vasis presentibus indilate statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem Totius et integri predicti annui redditus triginta librarum usualis monete prescripte annuatim levandi et percipiendi ad terminos prescriptos de totis et integris predictis quadraginta solidatis terrarum de Eister et Wester Lochheids cum pertinentiis vel de aliqua earundem parte ut supra jacentibus memorato Davidi Barclay tanquam filio legitimo et propinquiori heredi antedicti quondam sui patris vel suo certo actornato latori presentium per terre et lapidis fundi dictarum terrarum et unius denarii ut moris est traditionem et deliberationem tradetis et deliberetis seu alter vestrum tradet et deliberet secundum tenorem antiqui infeofamenti dicti quondam sui patris quod de eisdem inde habet salvo jure cujuslibet

et hoc nullo modo omittatis Ad quod faciendum vobis et vestrum cuilibet conjunctim et divisim ballivis meis in hac parte antedictis meam plenariam et irrevocabilem tenore presentium committimus potestatem In cujus rei testimonium presentibus ex chyrographo Roberti Broun notarii publici manuque mea subscriptis sigillum meum proprium presentibus est appensum apud locum de Ladyland decimo quarto die mensis Junii anno domini millesimo sexcentesimo decimo septimo coram his testibus prefato Roberto Broun Hugone Barclay meo fratre germano et Joanne Patersoun sartorem in Ladyland Sic subscribitur D. B., Ladyland.

R. Broun, *witnes.*

Hugo Barclay, *witnes.*

Post cujusquidem sasine precepti perlectionem publicationem et in vulgari astantibus expositionem prefatus David Jamesoun ballivus in hac parte antedictus virtute et vigore sui officii necnon de mandato speciale dicti sasine precepti propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totius et integri predicti annui redditus triginta librarum usualis monete predictae annuatim levandi et percipiendi ad duos anni terminos consuetos festa videlicet Penthecostes et sancti Martini in hyeme per equales portiones de totis et integris predictis quadraginta solidatis terrarum de Eister et Wester Lochheids vel de aliqua earundem parte cum pertinentiis ut supra jacentium memorato Davidi Barclay tanquam filio legitimo et propinquiore heredi antedicti quondam sui patris per terre et lapidis fundorum dictarum terrarum respective et successive et unius denarii ut moris est traditionem et deliberationem dicto Jacobo Or tanquam vero certo et indubitato actornato et eo nomine dicti Davidis quo supra dedit tradidit pariter et cum effectu hereditarie deliberavit secundum formam et tenorem infeofamentorum dicti quondam sui patris que de eodem inde habet dictique sasine precepti suprascripti in omnibus salvo jure cujuslibet Super quibus omnibus et singulis premissis prefatus Jacobus Or actornatus antedictus et eo nomine dicti Davidis quo supra a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda dictarum terrarum de Eister et Wester Lochheids respective et successive per se hora nona mane aut eo circa sub anno die mense regnisque regis quibus

supra Presentibus ibidem Joanne Or in Rasch de Wester Lochheid
Willielmo Or in Eister Lochheid et Willielmo Or in Gilmos cum diversis
aliis testibus ad premissa vocatis pariterque rogatis. R. BROUN.

ABSTRACT.

FOR DAVID BARCLAY.

Instrument narrating that there compeared personally a prudent man, James Or in Quhorhill, as attorney and in name of a discreet man, David Barclay, son and heir of the late Master Robert Barclay of Brydskirk, by letters of attorney directed from the Chancery of our sovereign lord the king, upon the ground of the forty shilling lands of Easter and Wester Lochheids, lying in the parish of Lochwinnoch, bailiery of Cunynghame, barony of Renfrew, and within the sherifffdom of the same: and there the said James Or, having and holding in his hands a certain precept of seizin, called a precept of *clare constat*, granted by an honourable man, David Barclay of Ladyland, directed to a prudent man, David Jamesoun in Quhytinghall, his bailie in that part, did present and deliver the said precept to the latter, humbly requesting him to put the same to due execution: and the bailie having received the precept from his hands, delivered it to the notary to be read, published, and expounded in the vulgar tongue,—the tenor thereof being to the effect that it clearly appeared to the granter, by authentic documents and instruments of seizin publicly shown and read to him, that the late Master Robert Barclay of Brydskirk, father of the granter's beloved kinsman, David Barclay, before mentioned, died last vest and seized as of fee, at the peace and faith of the king, in an annual rent of thirty pounds usual money of this realm of Scotland, yearly to be uplifted and taken, at the usual terms of Whitsunday and Martinmas, by equal portions from all and whole the lands of Easter and Wester Lochheids before mentioned, or from any part of the same: and that the said David Barclay is lawful and nearest heir of the said Master Robert, his father, of the said annual rent, and that he is of lawful age: and that the said annual rent is now held of the granter of the precept in chief, as lord superior, and successor of the late David Barclay of Ladyland, his father, superior of the said Master Robert, for payment yearly of one penny money of the kingdom of Scotland, at

Whitsunday, in name of blench ferme, if asked only : and therefore commanding the said bailie to give seizin of the said annual rent to the said David Barclay : which precept, in the handwriting of Robert Broun, notary, and sealed with the granter's own seal, is dated at the place of Ladyland the 14th day of June 1617, before these witnesses, the afore-said Robert Broun, Hugh Barclay, the granter's brother-german, and John Patersoun, tailor in Ladyland : After the reading, publication, and exposition of the said precept to the bystanders, the said David Jamesoun, bailie, did with his own hands give seizin in terms thereof to the said David Barclay, as son and heir of his father, by delivery of earth and stone of the grounds of the said lands respectively and successively, and of one penny, as the custom is, to the said James Or, as the true, certain, and undoubted attorney and in the name of the said David : These things were done on the grounds of the said lands of Easter and Wester Lochheids, respectively and successively, about the ninth hour of the morning of the 15th day of June 1617, the witnesses there present being, John Or in Rasch of Wester Lochheid, William Or in Eister Lochheid, and William Or in Gilmos.

XCIX.—PRO DAVIDE BARCLAY NUNC DE LADYLAND.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo septimo mensis vero Junii die decimo quinto regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quinto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit providus vir Jacobus Or in Quhorlhill tanquam procurator et eo nomine discreti viri Davidis Barclay filii legitimi et heredis quondam Magistri Roberti Barclay de Brydskirk nunc hereditarii proprietarii annui redditus subscripti super solum et fundum terrarum de Eister et Wester Lochheids de Lochquhinzeoch extendentium ad quadraginta solidatas terrarum jacentium in parochia de Lochquhinzeoch baronia de Renfrew et infra vicecomitatum ejusdem virtute quarundam literarum procuratorialium sibi per dictum Davidem ad effectum subscriptum factarum ac in quadam dispositionis litera per dictum Davidem honorabili viro Davidi Barclay nunc de Ladyland de toto et integro uno annuo redditu

triginta librarum usualis monete hujus regni Scotie in quo hodierno die dictus David infeodatus et debite sasitus existit annuatim levando ad duos anni terminos consuetos festa videlicet Penthecostes et Sancti Martini in hyeme per equales portiones de totis et integris predictis terris de Eister et Wester Lochheids cum pertinentiis vel de aliqua earundem parte de data apud burgum de Irwing decimo quinto die mensis Octobris anno domini millesimo sexcentesimo decimo sexto Et ibidem dictus Jacobus Or procurator antedictus et eo nomine dicti Davidis ac de mandato speciale dicto procuratorialis litere in dicta dispositionis litera contente ac pro certis pecuniarum summis dicto Davidi per dictum Davidem Barclay de Ladyland suum superiorem dicti annui redditus in pecunia numerata persolutis modo in dicta dispositionis litera specificato Totum et integrum predictum annum redditum triginta librarum usualis monete prescripte in quo dictus David Barclay hodierno die infeodatus existit annuatim levandum de predictis terris vel aliqua earundem parte cum pertinentiis ad terminos prescriptos Unacum omnibus jure titulo interesse jurisclameo proprietate et possessione tam petitorio quam possessorio que seu quas dictus David suive heredes successores seu assignati in et ad eundem annum redditum seu aliquam ejusdem partem In manibus predicti Davidis Barclay de Ladyland domini sui superioris ejusdem sursum reddidit pureque et simpliciter per fustim et baculum et unius denarii ut moris est traditionem resignavit renunciavit et a prefato Davide suisque heredibus prescriptis In favorem dicti sui superioris ejusque heredum et assignatorum ad perpetuam remanentiam imperpetuum extradonavit secundum vim formam et tenorem dicte dispositionis littere litereque procuratorialis prescripte in eadem contente Super quibus omnibus et singulis premissis prefatus David Barclay de Ladyland a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda dictarum terrarum de Eister et Wester Lochheids respective singulatim et successive per se hora nona mane aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Joanne Or in Rasch de Wester Lochheid Willielmo Or in Eister Lochheid Willielmo Or in Gilmos et Davide Jamesoun in Quhytynghall cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR DAVID BARCLAY, NOW OF LADYLAND.

Instrument of resignation *ad perpetuam remanentiam*, narrating that a prudent man, James Or in Quhorlhill, as procurator of a discreet man, David Barclay, son and heir of the late Master Robert Barclay of Brydskirk, compeared personally in presence of the notary and witnesses, upon the ground of the lands of Easter and Wester Lochheids of Lochwinnoch, extending to a forty shilling land, lying in the parish of Lochwinnoch, barony of Renfrew, and within the sherifffdom of the same: And there the said James, in name of the said David, by the special mandate of his letter of procuratory contained in a disposition granted by him to an honourable man, David Barclay of Ladyland, of date at Irvine the 15th day of October 1616, and for certain sums of money paid by the latter, did surrender, and purely and simply resign, by staff and baton and delivery of one penny, as the custom is, an annual rent of thirty pounds usual money of this kingdom of Scotland, to be uplifted from the aforesaid lands, wherein the granter was on that day duly seized, in the hands of the said David Barclay of Ladyland, as lord superior thereof, to remain with him for ever: These things were done upon the ground of the aforesaid lands respectively, singly and successively, about the ninth hour of the morning of the 15th day of June 1617, before witnesses, namely, John Or in Rasch of Wester Lochheid, William Or in Easter Lochheid, William Or in Gilmos, and David Jamesoun in Quhytinghall.

C.—PRO JACOBO BLAIR MERCATORE ET MARGARETA
SCRYMGEOUR EJUS SPONSA.

Anno domini millesimo sexcentesimo decimo septimo mensis vero Julii die duodecimo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quinto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit providus vir Magister Alexander Tran filius legitimus secundo loco natus quondam Patricii Tran prepositi burgi de Irwing super sola et funda tenementorum terrarum aliarumque particulariter subtus specificatarum sibi hereditarie pertinentium videlicet

et primo super solum et fundum illius acre terre arabilis aut eo circa et pecie non arabilis terre eidem acre arabilis terre adjacentis et pertinentis vulgariter vocatarum Kairdes yeardis jacentium infra territorium dicti burgi de Irwing ex occidentali latere montis vocati M'Missarthill inter terras Thome Randell et viam ducentem ad pontem dicti burgi ex boreali communem venallam vocatam lie Puddingfuirde ex australi et aquam de Irwing directe bondatam et limitatam cum dicta pecia non arabilis terre jacente sub ripa dicte acre arabilis terre ex orientale partibus ab una et aliis Necnon super solum et fundum illius ejus pecie terre jacentis super dictum montem de Makmisherthill prope orientalem finem dicti pontis coram ostio domus Gilberti Watt inter terras ——— ex australi terras ——— ex boreali et terris ——— ex orientali partibus ab una et aliis Quequidem pecia terre olim ad quondam Patricium M'Lurg hereditarie pertinebat ac etiam super solum et fundum illorum ejus duorum tenementorum terrarum sive aggerum vulgo lie tua rigis of land contigue super dictum montem de M'Misarthill jacentium inter terras Andree Tran ejus fratris ex australi et terras Davidis Tueidy ephippiarii ex boreali super unum quorum quidem tenementorum sive aggerum fossa cespitum ex licentia et permissione dicti Magistri Alexandri per dictum Andream conditur pro conservatione cujusdam sepiis donec ad quendam maturitatem perveniat pro defensione horti dicti Andree et postea diruenda Et ibidem dictus Magister Alexander pro observatione et impletione unius ejus partis cujusdam dispositionis litere per eum de predictis ejus tenementis terris aliisque particulariter supra specificatis cum pertinentiis provido viro Jacobo Blair mercatori burgensi dicti burgi et Margarete Skrymgeour ejus conjugi eorumque alteri diutius viventi in conjuncta infeodatione de data presentium confecte Totam et integram predictam ejus acram terre arabilis aut eo circa unacum predicta petia non arabilis terre dicte acre arabilis terre pertinente et adjacente sub ripa necnon predictam peciam terre jacentem super dictum montem apud orientalem finem predicti pontis per prius ad dictam quondam Patricium M'Lurg pertinentem Unacum predictis duobus aggeribus sive tenementis terre insimul et contigue ut premittitur jacentibus Unacum dicta illa pecia terre predicti tenementi sive aggeris super quem dicta fossa cespitum pro presenti conditur cum omnibus et singulis annexis connexis partibus pendiculis et singulis earundem pertinentiis jacentes respective ut premittitur unacum omnibus jure juristitulo interesse jurisclameo proprietate et possessione tam petitorio quam

possessorio que seu quas dictus Magister Alexander suive heredes successores aut assignati in et ad easdem seu aliquam earundem partem cum pertinentiis habere clamare vel pretendere potuerant In manibus honorabilis viri Joannis Blair unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum In favores prefati Jacobi Blair et Margarete Skrymgeour ejus sponse eorumque heredum et assignatorum subscriptorum ac pro hac nova sasina et infeodatione hereditaria dictarum terrarum tenementorum aliorumque prescriptorum cum pertinentiis per dictum ballivum illis eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis quibus deficientibus dicto Jacobo suisque legitimis et propinquioribus heredibus et assignatis quibuscunque hereditarie et irredimabiliter absque aliqua reversione redemptione seu regressu quocunque in futurum in debita et competenti forma prout congruit danda et conficienda Qua resignatione sic ut premittitur facta debite rite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii Necnon de mandato speciale dicti resignantis propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem totius et integre predictae acre arabilis terre aut eo circa Necnon predictae pecie non arabilis terre jacentis sub ripa eidem acre adjacentis et pertinentis Ac etiam totius et integre predictae pecie terre perprius ad dictum quondam Patricium M'Lurg pertinentis necnon predictorum duorum tenementorum sive aggerum insimul et contigue ut premittitur jacentium et predictae illius partis tenementi sive aggeris super quam fossa predicta conditur cum omnibus et singulis annexis connexis partibus pendiculis et pertinentiis ut premittitur respective jacentium memoratis Jacobo Blair et Margarete Skrymgeour conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundorum eorundem respective illis personaliter presentibus et manibus junctis pro semet ipsis eorumque heredibus et assignatis prescriptis acceptantibus traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie et irredimabiliter absque aliqua reversione redemptione seu regressu quocunque in futurum deliberavit secundum formam et tenorem dicte resignationis littereque dispositionis predictae eo circa confecte salvo jure cujuslibet Tenendarum de prefato supremo domino nostro rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaqua onera et divorias solvi solitas et

consuetas tantum Super quibus omnibus et singulis premissis prefatus Jacobus Blair et Margareta Skrymgeour conjuges ac eorum quilibet pro semet ipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda predictarum terrarum tenementorum aliarumque respective prescriptarum singulatim respective et successive per se horam circiter nonam mane aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Jacobo Quhyt et Roberto Lyn mercatoribus burgensibus dicti burgi Andrea Hendersoun textore Henrico Skrymgeour filio legitimo quondam Magistri Alexandri Skrymgeour ministri de Irwing Willielmo Stevinsoun serjiando testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR JAMES BLAIR, MERCHANT, AND MARGARET SCRYMGEOUR HIS SPOUSE.

Instrument narrating that a prudent man, Master Alexander Tran, second born son of the late Patrick Tran, provost of the burgh of Irvine, compeared personally upon the ground of the tenements, lands, and others, particularly after specified, belonging to him heritably, that is to say, upon the ground of that acre or thereby of arable land, and piece of non-arable land adjacent and belonging thereto, commonly called Kairde's Yairds, lying within the territory of the said burgh, on the west side of the hill called M'Missarthill, between the lands of Thomas Randell and the road leading to the bridge of the said burgh on the north, the common vennel called the Puddingfuir on the south, and the Water of Irvine directly bounded and limited with the said piece of non-arable land, lying under the bank of the said acre of arable land, on the east: Also upon the ground of that his piece of land lying upon the said hill, near the east end of the said bridge, before the door of the house of Gilbert Watt, between the lands of ——— on the south, the lands of ——— on the north, and the lands of ——— on the east; which piece of land formerly belonged to the late Patrick M'Lurg, heritably: And also, upon the ground of these his two tenements or rigs of land, lying contiguously upon the said hill, between the lands of Andrew Tran his brother, on the south, and the lands of David

Tueidy, saddler, on the north ; upon one of which tenements or rigs a dyke of divots is built by the said Andrew, by permission of the said Master Alexander, for conserving a certain hedge until it come to some maturity, for the defence of the said Andrew's yard, and thereafter to be destroyed : And there the said Master Alexander, for observation and implement of his part of a disposition made by him, of this date, of the aforesaid lands, etc., to a prudent man, James Blair, merchant, burgess of the said burgh, and Margaret Skrymgeour his spouse, and the longer liver of them in conjunct fee, did surrender and purely and simply resign the lands and others aforesaid, in the hands of an honourable man, John Blair, one of the bailies of Irvine, in favour of the aforesaid James Blair and Margaret Skrymgeour his spouse, and for this new seizin and heritable infetment to be given to them, and the survivor of them, in conjunct fee, and to the heirs begotten or to be begotten between them, which failing, to the said James and his heirs whatsoever, heritably and irredeemably : Which resignation having been so made, duly and lawfully, and by the said bailie admitted and received, he, by virtue of his office, and also by the special mandate of the resigner, did with his own hands give state and seizin of the said subjects respectively to the said James Blair and Margaret Skrymgeour his spouse, personally present and receiving the symbols with their hands joined : To be holden of the king and his successors in burgage manner ; rendering therefor yearly the burghal fermes and other duties and burdens used and wont : These things were done upon the ground of the aforesaid lands and others singly, respectively, and successively, about the ninth hour of the morning of the 12th day of July 1617 ; the witnesses there present being James Quhyt and Robert Lyn, merchants, burgesses of the said burgh, Andrew Hendersoun, weaver, Henry Scrymgeour, son of the late Mr. Alexander Skrymgeour, minister of Irvine, and William Stevinsoun, serjeant.

CL.—PRO JACOBO HAY.

Anno domini millesimo sexcentesimo decimo septimo mensis vero Julii die decimo nono regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quinto In mei notarii publici et testium subscriptorum presentis personaliter comparuit discretus vir Paulus Gluver de Trinitiland ballivus balliatus de Cunyngham in hac parte per preceptum sasine

subscriptum specialiter constitutus super solum et fundum quadraginta solidatarum terrarum de Tourlandis aut eo circa jacentium in baronia de Kilmares balliatu de Cunyngham et infra vicecomitatum de Air pro presenti per Alexandrum Cunyngham de Tourlandis suosque tenentes occupatarum et possessarum Et ibidem providus vir Joannes Moreis in Dankeyth tanquam verus certus et indubitatus actornatus et eo nomine discreti viri Jacobi Hay servitoris nobilis et prepotentis comitis Jacobi Comitis de Glencarn per litteras actornatorias e cancellaria dicti supremi domini nostri regis directas habens et tenens suis in manibus quoddam sasine preceptum e cancellaria dicti supremi domini nostri regis sub testimonio sui magni sigilli ballivo balliatus de Cunynghame in hac parte directum pro sasina dicto Jacobo vel suo certo actornato dicti precepti latori de superioritate dictarum terrarum de Tourlandis cum tenentibus tenandriis et libere tenentium servitiis earundem extendentium occupatarum et jacentium ut premittitur danda Quodquidem sasine preceptum dictus Joannes Moreis actornatus antedictus et eo nomine dicti Jacobi Hay quo supra prefato Paulo Gluver de Trinitiland ballivo dicti balliatus de Cunyngham in hac parte prescripto et in dicto sasine precepto specialiter nominato et constituto presentavit et deliberavit ipsumque humiliter requirendo quatenus hujusmodi sasine preceptum secundum ejusdem tenorem poneret et demandaret Qui vero ballivus in hac parte antedictus dictum sasine preceptum e manibus dicti Joannis actornati antedicti omni reverentia et humilitate qua decuit recepit mihique notario publico subscripto sibi perlegendum publicandum et in vulgari astantibus exponendum tradidit Cujusquidem sasine precepti tenor sequitur verbatim et est talis Jacobus Dei gratia Magne Britannie Francie et Hibernie rex fideique defensor ballivo nostro de Cunyngham et deputatis suis necnon dilectis nostris Paulo Gluver de Trinityland et vestrum cuilibet conjunctim et divisim ballivis balliatus nostri de Cunyngham in hac parte salutem Quia nos cum avisamento et consensu predilecti nostri consanguinei et consilarii Joannis Comitis de Mar domini Erskyn et Garioch etc. nostri principalis thesaurarii computorum rotulatoris et collectoris regni nostri Scotie ac domini Gedeonis Murray de Elibank militis nostri deputati in prefatis officiis ac cum avisamento reliquorum dominorum nostrorum commissionariorum dedimus concessimus et disposuimus dilecto nostro Jacobo Hay servitori predilecti nostri consanguinei et consilarii Jacobi Comitis de Glencairne etc. heredibus suis et assignatis hereditarie superioritatem

terrarum de Tourlandis videlicet Totas et integras predictas terras de Tourlandis extendentes ad quadraginta solidatas terrarum aut eo circa cum tenentibus tenandriis et libere tenentium servitiis earundem et suis pertinentiis jacentes in baronia de Kilmawres balliatu de Cunyngham et infra vicecomitatum de Air pro presenti per Alexandrum Cunyngham de Tourlandis et suos tenentes occupatas Quequidem terre cum suis pertinentiis videlicet superioritas earundem ut prefertur ad prefatum predilectum nostrum consanguineum Jacobum Comitem de Glencairne et Willielmum dominum de Kilmawres ejus filium tanquam pars dicte baronie de Kilmawres perprie hereditarie pertinuerunt ac quamquidem etiam superioritatem scilicet antedictas terras de Tourlandis cum tenentibus tenandriis et libere tenentium servitiis earundem et suis pertinentiis extendentes et jacentes ut premittitur memorati predilecti nostri consanguinei Jacobus Comes de Glencairn et Willielmus dominus de Kilmares ejus filius cum consensu Willielmi Barclay de Innergellie nostri donatoris ad eschaetam dicti comitis pro suo jure et interesse per suos procuratores suis nominibus per eos legitime constitutos virtute suarum literarum procuratorialium per eos ad hunc effectum factarum et subscriptarum resignaverunt sursum reddiderunt et extradonarunt In manibus dominorum nostri secreti consilii hujus regni nostri Scotie nostrorum commissionariorum per eos constitutorum potestatem a nobis habentium pro recipiendis resignationibus et dandis infeofamentis ut congruit tanquam in manibus nostris domino superiore prefatarum terrarum prefato Comiti de Glencairne et domino de Kilmares cum omni humilitate et reverentia qua decuit per fustim et baculum ut moris est apud Edinburgh in favorem prefati Jacobi Hay et pro nostro novo infeofamento sub nostro magno sigillo prefato Jacobo heredibus suis et assignatis hereditarie et irredimabiliter absque ulla reversione redemptione aut regressu per nos desuper danda et conficienda sub debita et competenti forma prout in eodem latius continetur Vobis precipimus et mandamus quatenus prenominato Jacobo Hay vel suo certo actornato latori presentium sasinam dicte superioritatis terrarum de Tourlandis videlicet totarum et integrarum antedictarum terrarum de Tourlandis cum tenentibus tenandriis et libere tenentium servitiis earundem et suis pertinentiis extendentium occupatarum et jacentium ut premittitur secundum formam et tenorem antedicti nostri infeofamenti quod de nobis inde habet juste haberi faciatis sine dilatione et hoc nullo modo omittatis ad quod faciendum vobis et vestrum cuilibet conjunctim et divisim ballivis balliatus nostri de

supra Presentibus ibidem Joanne Or in Rasch de Wester Lochheid Willielmo Or in Eister Lochheid et Willielmo Or in Gilmos cum diversis aliis testibus ad premissa vocatis pariterque rogatis. R. BROUN.

ABSTRACT.

FOR DAVID BARCLAY.

Instrument narrating that there compeared personally a prudent man, James Or in Quhorlhill, as attorney and in name of a discreet man, David Barclay, son and heir of the late Master Robert Barclay of Brydskirk, by letters of attorney directed from the Chancery of our sovereign lord the king, upon the ground of the forty shilling lands of Easter and Wester Lochheids, lying in the parish of Lochwinnoch, bailiery of Cunynghame, barony of Renfrew, and within the sheriffdom of the same: and there the said James Or, having and holding in his hands a certain precept of seizin, called a precept of *clare constat*, granted by an honourable man, David Barclay of Ladyland, directed to a prudent man, David Jamesoun in Quhytinghall, his bailie in that part, did present and deliver the said precept to the latter, humbly requesting him to put the same to due execution: and the bailie having received the precept from his hands, delivered it to the notary to be read, published, and expounded in the vulgar tongue,—the tenor thereof being to the effect that it clearly appeared to the granter, by authentic documents and instruments of seizin publicly shown and read to him, that the late Master Robert Barclay of Brydskirk, father of the granter's beloved kinsman, David Barclay, before mentioned, died last vest and seized as of fee, at the peace and faith of the king, in an annual rent of thirty pounds usual money of this realm of Scotland, yearly to be uplifted and taken, at the usual terms of Whitsunday and Martinmas, by equal portions from all and whole the lands of Easter and Wester Lochheids before mentioned, or from any part of the same: and that the said David Barclay is lawful and nearest heir of the said Master Robert, his father, of the said annual rent, and that he is of lawful age: and that the said annual rent is now held of the granter of the precept in chief, as lord superior, and successor of the late David Barclay of Ladyland, his father, superior of the said Master Robert, for payment yearly of one penny money of the kingdom of Scotland, at

Whitsunday, in name of blench ferme, if asked only : and therefore commanding the said bailie to give seizin of the said annual rent to the said David Barclay : which precept, in the handwriting of Robert Broun, notary, and sealed with the granter's own seal, is dated at the place of Ladyland the 14th day of June 1617, before these witnesses, the aforesaid Robert Broun, Hugh Barclay, the granter's brother-german, and John Patersoun, tailor in Ladyland: After the reading, publication, and exposition of the said precept to the bystanders, the said David Jamesoun, bailie, did with his own hands give seizin in terms thereof to the said David Barclay, as son and heir of his father, by delivery of earth and stone of the grounds of the said lands respectively and successively, and of one penny, as the custom is, to the said James Or, as the true, certain, and undoubted attorney and in the name of the said David: These things were done on the grounds of the said lands of Easter and Wester Lochheids, respectively and successively, about the ninth hour of the morning of the 15th day of June 1617, the witnesses there present being, John Or in Rasch of Wester Lochheid, William Or in Eister Lochheid, and William Or in Gilmos.

XCIX.—PRO DAVIDE BARCLAY NUNC DE LADYLAND.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo septimo mensis vero Junii die decimo quinto regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo et decimo quinto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit providus vir Jacobus Or in Quhorhill tanquam procurator et eo nomine discreti viri Davidis Barclay filii legitimi et heredis quondam Magistri Roberti Barclay de Brydskirk nunc hereditarii proprietarii annui redditus subscripti super solum et fundum terrarum de Eister et Wester Lochheids de Lochquhinzeoch extendentium ad quadraginta solidatas terrarum jacentium in parochia de Lochquhinzeoch baronia de Renfrew et infra vicecomitatum ejusdem virtute quarundam literarum procuratorialium sibi per dictum Davidem ad effectum subscriptum factarum ac in quadam dispositionis litera per dictum Davidem honorabili viro Davidi Barclay nunc de Ladyland de toto et integro uno annuo redditu

Privy Council of Scotland, his majesty's commissioners, having power from him to receive resignations and to give infeftments, as in his majesty's hands, the lord superior of the said lands, in favour of the aforesaid James Hay, and for new infeftment thereof to be given under the great seal, to him and his heirs and assignees, heritably and irredeemably; commanding therefore the said Paul Gluver of Trinityland, bailie in that part, to give seizin of the said superiority of the lands of Tourlands to the said James Hay or his certain attorney, in due and competent form: Which precept, dated at Edinburgh 23rd April 1617, having been read, published, and set forth in the vulgar tongue, the aforesaid Paul Gluver, by virtue of the office of bailiery committed to him, and also by the special mandate of the said precept, did, with his own hands, give state and seizin, bodily, actual, and real possession of the superiority of the said lands of Tourlands, to the said John Moreis, as attorney and in name of the said James Hay, by delivery to him of earth and stone of the lands, and of a wand, as the manner is: These things were done upon the ground of the said lands, before the door of the chief messuage and house of the same, about the third hour after noon of the 19th day of July 1617, the witnesses there present being Daniel Cunyngham, elder, of Dankeyth, William Cunyngham his son and heir-apparent, Daniel Cunyngham, brother-german of the said William, John Auld in Tourlands, and Robert Tod, weaver in Hiemyre.

CII.—PRO WILLIELMO HENDRIE PELLIONE EJUSQUE
SPONSA, Etc.

Anno domini millesimo sexcentesimo decimo septimo mensis vero Augusti die secundo regnorumque supremi domini nostri regis annis quinquagesimo primo et decimo quinto In mei notarii publici et testium subscriptorum presentiis personaliter comparuerunt probe persone Willielmus Mure burgensis burgi de Irwing et Annabella Calderwod ejus sponsa super solum et fundum illius tenementi terre subscripti illis hereditarie pertinentis jacentis infra dictum burgum ex occidentali latere communis vie regie ejusdem inter tenementum Bessete Couper et Joannis Burnes ex australi et venellam vocatam lie Gruipe ex boreali partibus ab una et aliis Et ibidem dicti conjuges unanimi consensu et assensu pro observatione et impletione unius eorum partis cujusdam dispositionis litere per eos probis

personis Willielmo Hendrie pellioni burgensi dicti burgi et Jonete Dickie ejus conjugii penes dicti tenementi alienationem et dispositionem de data presentium confecte ac pro summa quinque centum et quinquaginta mercarum usualis monete hujus regni Scotie in dicta dispositionis litera contenta dictis Willielmo Mure ejusque sponse predictae tempore presentium confectionis plenarie et integre in pecunia numerata persoluta Totum et integrum predictum eorum tenementum terre ante et retro subtus et supra cum horto et singulis suis pertinentiis ut supra jacens unacum omnibus jure titulo interesse jurisque clameo proprietate et possessione tam petitorio quam possessorio que seu quas dicti conjuges eorumve heredes successores aut assignati in et ad predictum tenementum seu aliquam earundem partem cum pertinentiis habere clamare vel pretendere potuerat in futurum in manibus honorabilis viri Joannis Blair unius ballivorum burgi de Irwing sursum reddiderunt pureque et simpliciter per fustim et baculum ut moris est resignarunt reunciarunt et extradonarunt imperpetuum In favores prefatorum Willielmi Hendrie et Jonete Dickie conjugum eorumque heredum et assignatorum subscriptorum ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum illis eorumque alteri diutius viventi in conjuncta infeodatione et heredibus inter eos legitime procreatis seu procreandis Quibus deficientibus legitimis et propinquioribus heredibus et assignatis dicti Willielmi quibuscunque hereditarie et irredimabiliter absque aliqua reversione redemptione seu regressu in debita et competenti forma prout congruit danda et conficienda Qua resignatione sic ut premititur facta debite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii necnon de mandatis specialibus dictorum resignantium propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totius et integri predicti tenementi terre ante et retro subtus et supra cum horto et singulis suis pertinentiis ut supra jacentis memoratis Willielmo Hendrie et Jonete Dicky conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi ejusdem illis personaliter presentibus et manibus junctis acceptantibus traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie et irredimabiliter absque aliqua reversione redemptione seu regressu deliberavit secundum formam et tenorem dicte resignationis litereque dispositionis eo circa confecte Tenendi de prefato supremo domino nostro rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque

onera et divorias solvi solitas et consuetas tantum Insuper in presentia dicti ballivi personaliter comparuit prefata Annabella Calderwod sponsa dicti Willielmi Mure super solum et fundum dicti tenementi et ibidem in presentia dicti ballivi extra presentiam prefati sui mariti se ad premissa minime coactam aut compulsam fuisse sed eadem ex sua mera pura libera et spontanea voluntate fecisse utilitate et commodo suis undique previsis et pensatis et omnia et singula premissa sic ut premittitur facta approbavit ratificavit et sacrosanctis tactis Dei evangeliis et de non revocando in futurum corporale suum prestitit juramentum Super quibus omnibus et singulis premissis prefati Willielmus Hendry et Joneta Dickie conjuges ac eorum quilibet pro semet ipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum predicti tenementi horam circiter nonam mane aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Willielmo Mure uno novissimorum ballivorum dicti burgi Roberto Craig et Jacobo Boyd burgensibus dicti burgi Jacobo Scott et Joanne Neilsoun notariis Willielmo Stevinsoun et Jacobo Broun serjiandis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR WILLIAM HENDRIE, SKINNER, AND HIS SPOUSE.

Instrument narrating that worthy persons, William Mure, burgess of Irvine, and Annabella Calderwod his spouse, compeared upon the ground of that tenement of land belonging to them heritably, lying within the said burgh, on the west side of the High Street thereof, between the tenement of Bessie Couper and John Burnes on the south, and the vennel called the Gruip on the north : and there the said spouses, of one consent, for implement of their part of a disposition of the date hereof, granted by them to the worthy persons, William Hendrie, skinner, burgess of Irvine, and Jonet Dickie his spouse, anent the sale of the said tenement, and for the sum of five hundred and fifty merks usual money of this kingdom of Scotland, fully paid by them in counted money to the said William and his spouse, at the time of the making of these presents, did surrender, and purely and simply resign, by staff and baton, as the custom is, the

aforesaid tenement of land, fore and back, below and above, with yard and pertinents, lying as above, with all right and title which they had thereto, in the hands of an honourable man, John Blair, one of the bailies of the burgh of Irvine, in favour of the said William Hendrie and Jonet Dickie, and for this new seizin to be given to them in conjunct fee, and to the heirs of their marriage, which failing, to the lawful and nearest heirs and assignees whatsoever of the said William, heritably and irredeemably: Upon which resignation, duly and lawfully made, the bailie aforesaid gave seizin in the usual manner to the said William and Jonet, who received the symbols with their hands joined: Moreover, the aforesaid Annabella Calderwod, in presence of the bailie, and outwith the presence of her husband, approved and ratified the premises, to which she was in no way forced or compelled, but did so of her own free will, after due consideration of her own advantage, and gave her bodily oath, by touching the sacred evangels of God, that she would not revoke the same in future: These things were done on the ground of the said tenement, about the ninth hour of the morning of the 2nd day of August 1617, the witnesses there present being, William Mure, one of the last bailies of the said burgh, Robert Craig and James Boyd, burgesses thereof, James Scott and John Neilsoun, notaries, William Stevinsoun and James Broun, serjeants.

CIII.—PRO MARIOTA ET JONETA MURES HEREDIBUS
PORTIONARII QUONDAM JACOBI MURE
EORUM PATRIS, Etc.

Anno domini millesimo sexcentesimo decimo septimo mensis vero Augusti die decimo quinto regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo primo et decimo quinto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit honorabilis vir Joannes Blair unius ballivorum burgi de Irwing super sola et funda illorum duorum tenementorum terre subscriptorum contigue infra dictum burgum de Irwing jacentium in fine occidentali ejusdem ex occidentali latere communis vie regie ejusdem ad finem dicti burgi perprius ad Willielmum Montgomeri scribam pertinentium et que ab eo debite appreciata fuerant ad instantiam quondam Jacobi Mure burgensis burgi de

Glesgow in satisfactionem illi summe centum et tredecim librarum sex solidorum et octo denariorum usualis monete hujus regni Scotie pro principali et summe viginti mercarum monete predictae nomine expensarum contentae in quadam obligatorialis littera per dictum Willielmum dicto quondam Jacobo facta et summe sex librarum sex solidorum et octo denariorum monete prescriptae pro mercede et feodo vicecomitis dicte appreciationis judicis pro executione sui officii in premissis illi debito jacentium inter tenementum quondam Joannis Auld ex australi et tenementum Alexandri comitis de Eglintoun ex occidentali et boreali partibus ab una et aliis Et ibidem quia sibi clare constabat et notum fuit per autentica documenta et sasine instrumenta publice sibi ostensa perlecta et demonstrata quod prefatus quondam Jacobus Mure pater Mariote et Jonete Mures latricium presentium obiit ultimo vestitus et sasitus ut de feodo ad pacem et fidem dicti supremi domini nostri regis in totis et integris predictis illis duobus tenementis terre insimul et contiguae ut premittitur jacentibus ante et retro subtus et supra cum hortis et singulis earundem pertinentiis Et quod dicte Mariota et Joneta Mures sunt duo legitime filie et propinquiores heredes portionarii antedicti quondam Jacobi Mure eorum patris de totis et integris predictis duobus tenementis terre ante et retro subtus et supra cum hortis et singulis eorundem pertinentiis Et quod sunt legitime etatis Et quod predicta duo tenementa cum pertinentiis de prefato supremo domino nostro rege suisque successoribus tenentur in capite more burgali Propterea prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totorum et integrorum prefatorum duorum tenementorum terre ante et retro subtus et supra cum hortis et singulis eorundem pertinentiis contiguae ut premittitur jacentium memoratis Mariote et Jonet Mures tanquam veris legitimis et propinquioribus heredibus portionariis antedicti quondam Jacobi Mure eorum patris per terre et lapidis fundorum eorundem respective singulatim et successive per se provideo viro — Mure burgensi dicti burgi tanquam vero certo et indubitato actornato et eo nomine dictorum Mariote et Jonete heredum portionarium antedictarum traditionem et deliberationem de cujus actornatoriali potestate mihi notario publico subscripto et testibus subscriptis satis lucide constabat dedit tradidit pariter et cum effectu deliberavit secundum formam et tenorem infeofamenti dicti quondam Jacobi eorum patris quod de eisdem inde

habent (salvo jure cujuslibet) Tenendorum de prefato supremo domino nostro rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus — Mure actor-natus antedictus et eo nomine dictarum Mariote et Jonete quo supra a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda dictorum duorum tenementorum respective singulatim et successive per se horam circiter quartam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Willielmo Mure uno novissimorum ballivorum dicti burgi de Irwing Hugone Ralstoun incola infra unum dictorum tenementorum Roberto Michell fratre germano Joannis Michell in Dykis de Ardrossan et — pellione burgensi de Glesgow cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR MARION AND JONET MURES, HEIRS-PORTIONERS OF THE
LATE JAMES MURE, THEIR FATHER.

Instrument proceeding on the narrative that, in presence of the notary and witnesses, there compeared personally an honourable man, John Blair, one of the bailies of the burgh of Irvine, upon the ground of those two tenements of land lying contiguously within the said burgh, at the west end thereof, on the west side of the High Street of the same, formerly pertaining to William Montgomerie, writer, and duly apprised from him at the instance of the late James Mure, burgess of Glasgow, in satisfaction to him of the sum of one hundred and thirteen pounds six shillings and eightpence, money of this realm of Scotland, for the principal, and the sum of twenty merks money aforesaid, in name of expenses, contained in an obligation granted by the said William to the said James, and of the sum of six pounds six shillings and eightpence for the sheriff's fee,— lying between the tenement of the late John Auld on the south, and the tenement of Alexander Earl of Eglintoun on the west and north : And there, because it clearly appeared to the said bailie, by authentic documents and instruments of seizin publicly shown and read to him,

that the aforesaid James Mure died last vest and seized as of fee, at the peace and faith of the king, in the aforesaid two tenements of land: and that Marion and Jonet Mures are the two lawful daughters and nearest heirs-portioners of the said James Mure, their father, of the said two tenements of land, fore and back, under and above, with yards and pertinents: and that they are of lawful age: and that the said tenements are held of the king in chief in burgage manner: Therefore the aforesaid John Blair, bailie, in virtue of his office, did with his own hands give state and heritable seizin, as well as possession bodily, actual, and real, of the aforesaid two tenements, etc., to the said Marion and Jonet Mures, as heirs aforesaid of their father, by delivery of earth and stone of the ground of the said tenements respectively, singly, and successively, to a prudent man, — Mure, burgess of the said burgh, as attorney and in name of the said Marion and Jonet, according to the form and tenor of the infeftment of their said deceased father: These things were done on the ground aforesaid, about the fourth hour after noon of the 15th day of August 1617, the witnesses there present being, William Mure, one of the last bailies of Irvine, Hugh Ralstoun, indweller in one of the said tenements, Robert Michell, brother-german of John Michell in Dykes of Ardrossan, and — — —, skinner, burgess of Glasgow.

CIV.—PRO WALTERO STEWART EJUSQUE SPONSA, ETC.

Anno domini millesimo sexcentesimo decimo septimo mensis vero Septembris die vigesimo sexto regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo primo et decimo quinto In mei notarii publici et testium subscriptorum presentiis personaliter comparuerunt probe persone Mariota Blair filia legitima quondam Joannis Blair burgensis burgi de Irwing et Elizabethhe Mure relictæ dicti quondam Joannis ac mater dicte Mariote super solum et fundum illius tenementi terre sive aggeris dicte Mariote hereditarie pertinentis dicteque Elizabethhe ejus matri in vitali redditu jacentis infra dictum burgum apud orientalem finem ejusdem ex orientale latere communis vie ejusdem inter tenementum et terras quondam Walteri Braikandrig nunc vero per Robertum Cunynghame seniore burgensem dicti burgi occupatas et possessas ex ——— et tenementum

et terras ———— ex ———— partibus ab una et aliis Et ibidem dicta Mariota et Elizabetha unanimi consensu et assensu pro observatione et impletione unius eorum partis cujusdam contractus matrimonialis initi et confecti inter dictas Mariotam ejusque matrem onus super eam pro dicta ejus filia acceptantem ab una et Walterum Stewart burgensem burgi de Irwing partibus ab altera et pro matrimonio tunc inter eos contracto et nunc vero debite solempnizato et nomine dotis propter nuptias predictas totum et integrum predictum eorum tenementum terre ante et retro cum pertinentiis In manibus honorabilis viri Joannis Blair unius ballivorum dicti burgi de Irwing sursum reddiderunt pureque et simpliciter per fustim et baculum ut moris est resignarunt renunciarunt et extradonarunt imperpetuum unacum omnibus jure juris titulo interesse jurisclemeo proprietate et possessione tam petitorio quam possessorio illis seu eorum alteri in et ad proprietatem hereditariam conjunctam infeodationem seu vitalem redditum ejusdem habere clamare vel pretendere potuerint in futurum omnino quieteclamarunt imperpetuum In favorem prefati Walteri nunc sponse dicte Mariote ac sui ipsius dicte Mariote eorumque heredum et assignatorum subscriptorum ac pro hac nova sasina et infeodatione ejusdem per dictum ballivum illis eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis quibus deficientibus dicto Waltero suisque legitimis et propinquiorebus heredibus et assignatis quibuscunque hereditarie absque reversione in debita et competenti forma prout congruit desuper danda et conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum-admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii necnon de mandatis specialibus dictarum resignantium propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem Totius et integri predicti tenementi terre sive aggeris ante et retro cum pertinentiis memoratis Waltero Steuart et Mariote Blair conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi ejusdem illis personaliter presentibus et manibus junctis pro semet ipsis eorumque heredibus et assignatis prescriptis acceptantibus traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie deliberavit secundum formam et tenorem dicti contractus matrimonialis ac resignationis prescripte Tenendi de prefato supremo domino nostro rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas

tantum Super quibus omnibus et singulis premissis prefatus Walterus et Mariota conjuges ac eorum quilibet pro semet ipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum predicti tenementi sive aggeris horam circiter terciam post meridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Willielmo Mure et Andrea Tran novissimis ballivis dicti burgi Laurencio Randell pistore et Joanne Boltoun burgensibus dicti burgi et Jacobo Brown serjiando testibus ad premissa vocatis pariterque rogatis. R. BROWN.

Eodem die loco et hora coram testibus antedictis The said John Blair baillie of his awin frie motive will and for the love and favour he hes and beires towards the said Marioun Blair his sister and the said Walter her spouse his brother-in-law and for thair forder securitie of the foirsaid tenement renuncit and simpliciter dischargit fra him his aires and assignais to and in favours of the said Walter and Marioun thair aires successoris and assignais abonewritten all richt titill enteres and cleam of richt quhatsumever competent or that may be competent to him in and to the said tenement or ony part thair of ather as air to the said umquhil John Blair his fader or ony other maner of way and faythfully promittit never to impugn thair title thair of ratifeit the samin in all poyntis quhairon they tuik instrumentis.

R. BROWN.

ABSTRACT.

FOR WALTER STEWART AND HIS SPOUSE.

Instrument narrating that worthy persons, Marion Blair, daughter of the late John Blair, burgess of Irvine, and Elizabeth Mure, relict of the said John, and mother of the said Marion, compeared personally upon the ground of that tenement of land, or rig, belonging to the said Marion heritably, and to the said Elizabeth her mother in liferent, lying within the said burgh, at the east end thereof, on the east side of the High Street of the same, between the tenement and lands of the late Walter Braikandrig, but now occupied and possessed by Robert Cunynghame, elder, burgess of the said burgh, on the ———, and the tenement and lands of ——— on the ——— : And there the said Marion and Elizabeth, of one consent and

assent, and for observing and fulfilling their part of a contract of marriage, begun and ended between the said Marion, and her mother taking burden on her for her said daughter, on the one part, and Walter Stewart, burgess of Irvine, on the other part, then contracted betwixt them, and now duly solemnized; and in name of dowry on account of the said wedding, did surrender, and purely and simply, by staff and baton, did resign and overgive for ever, all and whole their aforesaid tenement of land, fore and back, in the hands of an honourable man, John Blair, one of the bailies of Irvine, with all right, title, and interest they might have, claim, or pretend to the heritable property, conjunct fee, or liferent of the same, in favour of the aforesaid Walter Stewart, now spouse of the said Marion, and of herself and their heirs and assignees underwritten, and for this new seizin and infeftment thereof to be given by the said bailie to them and the survivor of them, in conjunct fee, and to the heirs of their marriage, which failing, to the said Walter and his heirs and assignees whatsoever, heritably: Which resignation having been so made, duly and lawfully, and by the said bailie admitted and received, he, by virtue of his office, and also by the special mandates of the resigners, with his own hands, gave state and seizin to the said Walter and Marion, according to the tenor aforewritten, they being personally present and receiving the symbols with their hands joined: These things were done upon the ground aforesaid, about the third hour afternoon of the 26th day of September 1617, the witnesses there present being William Mure and Andrew Tran, last bailies of the said burgh, Laurence Randell, baker, and John Boltoun, burgesses, and James Broun, serjeant.

CV.—PRO ROBERTO DYETT MERCATORE EJUSQUE SPONSA.

Anno domini millesimo sexcentesimo decimo septimo mensis vero Octobris die secundo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo primo et decimo quinto In mei notarii publici et testium subscriptorum presentiis personaliter comparuerunt probe persone Adamus Cunynghame unus ballivorum burgi de Irwing et Margareta Cunynghame ejus sponsa super solum et fundum illius eorum quarte partis illorum duorum tenementorum respective subscriptorum contigue et insimul jacentium infra dictum burgum et orientali latere communis vie regie

ejusdem quequidem duo tenementa perprius ad Robertum Cunyngham seniore hereditarie pertinebant jacentia inter tenementum Davidis Dickie ex ——— et tenementum Alexandri Patoun ex ——— partibus ab una et aliis Et ibidem dicti conjuges unanimi consensu et assensu ac pro certis pecuniarum summis illis tempore presentium confectionis per providum virum Robertum Dyett mercatorem burgensem dicti burgi et (Margaretam) Stevinsoun ejus sponsam persolutis de quibusquidem pecuniarum summis tenebant se bene contentos plenarie et integre persolutos dictosque Robertum ejusque sponsam predictam eorumque heredes et assignatos exonerarunt plena per hujus presentis instrumenti tenorem imperpetuum Totam et integram predictam eorum quartam partem predictorum duorum tenementorum insimul et contigue ut premittitur jacentium cum singulis eorundem pertinentiis Unacum omnibus jure juris titulo interesse jurisclameo proprietate et possessione tam petitorio quam possessorio que seu quas illi eorumque heredes successores aut assignati in et ad predictam quartam partem predictorum duorum tenementorum seu aliquam earundem partem cum pertinentiis habuerunt habent seu quovismodo in futurum habere clamare vel pretendere poterunt In manibus honorabilis viri Joannis Blair unius ballivorum dicti burgi de Irwing sursum reddiderunt pureque et simpliciter per fustim et baculum ut moris est resignarunt renunciarunt et extradonarunt imperpetuum in favores prefatorum Roberti Dyett et Margarete Stevinsoun conjugum eorumque heredum et assignatorum subscriptorum ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum illis eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis Quibus deficientibus dicto Roberto suisque legitimis et propinquioribus heredibus et assignatis quibuscunque hereditarie et irredimabiliter absque aliqua reversione redemptione seu regressu in debita et competenti forma prout congruit desuper danda et conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui officii necnon de mandatis specialibus dictorum resignantium propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem totius et integre predictae quarte partis predictorum duorum tenementorum insimul et contigue ut premittitur jacentium ante et retro cum pertinentiis memoratis Roberto Dyett et Margarete Stevinsoun conjugibus eorumque alteri diutius viventi

in conjuncta infeodatione per terre et lapidis fundorum eorundem respective singulatim et successive per se illis personaliter presentibus et manibus junctis, pro semet ipsis eorumque heredibus et assignatis prescriptis acceptantibus traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie et irredimabiliter sive aliqua reversione redemptione seu regressu ut premittitur deliberavit secundum formam et tenorem dicte resignationis litereque dispositionis desuper conficienda Tenende de prefato supremo domino nostro rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Insuper in presentia dicti ballivi super sola et funda predictorum duorum tenementorum personaliter comparuit prefata Margareta Cunyngham extra presentiam prefati sui mariti et ibidem sacrosanctis tactis Dei evangeliiis se ad hujusmodi alienationem et resignationem minime coactam aut compulsam fuisse sed eadem ex sua mera libera et spontanea voluntate fecisse utilitate et commodo suis undique previsis et pensatis et omnia et singula premissa sic ut premittitur facta approbavit ratificavit et de non revocando in futurum corporale suum prestitit juramentum Super quibus omnibus et singulis premissis prefati Robertus et Margareta conjuges ac eorum quilibet pro semet ipsis a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda dictorum duorum tenementorum respective singulatim et successive per se horam circiter undecimam antemeridiem aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Allano Dunlop uno novissimorum ballivorum dicti burgi Roberto Cunyngham seniore et Patricio Thom burgensibus dicti burgi Willielmo Stevinsoun et Jacobi Broun serjiandis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR ROBERT DYETT, MERCHANT, AND HIS SPOUSE.

Instrument narrating that the worthy persons, Adam Cunynghame, one of the bailies of Irvine, and Margaret Cunynghame his spouse, compeared personally upon the ground of that their fourth part of those two tenements of land lying contiguously and together, within the said burgh, and on the east side of the High Street thereof; which two

tenements belonged before, heritably, to Robert Cunynghame, elder, lying between the tenement of David Dickie on the one side, and that of Alexander Patoun on the other: and there the said spouses, with unanimous consent and assent, and for certain sums of money paid to them at the time of the making hereof, by a prudent man, Robert Dyett, merchant, burgess of the said burgh, and Margaret Stevinsoun his spouse, did surrender, and purely and simply, by staff and baton, as the manner is, did resign, renounce, and overgive for ever, the aforesaid fourth part of the two tenements, lying as above, in the hands of an honourable man, John Blair, one of the bailies of the said burgh, in favour of the said Robert Dyett and Margaret Stevinsoun, and for this new heritable infestment to be given by the bailie to them in conjunct fee and liferent, and to the heirs lawfully begotten or to be begotten between them; which failing, to the said Robert and his lawful and nearest heirs whatsoever, heritably and irredeemably: Upon which resignation thus duly made, the bailie aforesaid gave state and heritable seizin in the usual manner, the said Robert and Margaret receiving the symbols with their hands joined: Moreover, the aforesaid Margaret Cunynghame appeared personally on the said ground, in presence of the bailie, and outwith the presence of her husband, and there, touching the sacred gospels of God, gave her bodily oath that she was not in any way compelled to the aforesaid sale and resignation, but had done it of her own free will, after full consideration of her own utility and advantage; that she approved and ratified all and sundry the premises, and should not revoke the same in future: These things were done upon the ground of the said two tenements, respectively, singly, and successively, about the eleventh hour before noon of the second day of October 1617, the witnesses there present being, Allan Dunlop, one of the last bailies of the said burgh, Robert Cunynghame, elder, and Patrick Thom, burgesses, William Stevinsoun and James Broun, serjeants.

CVI.—PRO ROBERTO DYETT EJUSQUE SPONSA.

Anno Domini millesimo sexcentesimo decimo septimo mensis vero Octobris die secundo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo primo et decimo quinto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit providus vir Allanus Dunlop unus novissimorum ballivorum burgi de Irwing super sola et funda illorum duorum tenementorum terre respective subscriptorum contigue et insimul jacentium infra dictum burgum quorum quarta pars illi hereditarie pertinet jacentium infra dictum burgum ex orientali latere communis vie regie ejusdem inter tenementum Davidis Dickie ex ——— et tenementum Alexandri Patoun ex ——— partibus ab una et aliis Et ibidem dictus Allanus pro certis pecuniarum summis sibi tempore presentium confectionis per providum virum Robertum Dyett mercatorem burgensem dicti burgi et Margaretam Stevinsoun ejus conjugem plenarie et integre in pecunia numerata persolutis de quibusquidem pecuniarum summis dictus Allanus tenuit se bene contentum plenarie et integre persolutum dictosque conjuges eorumque heredes successores et assignatos de eisdem exoneravit et quieteclamavit plena per hujus presentis instrumenti tenorem imperpetuum Totam et integram predictam ejus quartam parte predictorum duorum tenementorum ante et retro cum singulis suis pertinentiis Unacum omnibus jure titulo et interesse sibi suisve heredibus aut assignatis in et ad eandem competentibus In manibus honorabilis viri Joannis Blair unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum In favores dictorum Roberti et Margarete conjugum eorumque heredum et assignatorum subscriptorum ac pro hac nova sasina et infeodatione hereditaria predictae quarte partis predictorum duorum tenementorum cum pertinentiis illis eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis quibus deficientibus dicto Roberto suisque legitimis et propinquioribus heredibus et assignatis quibuscunque hereditarie et irredimabiliter absque ulla reversione redemptione seu regressu in debita et competenti forma prout congruit desuper inde danda et conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Joannes Blair ballivus antedictus virtute et vigore sui

officii necnon de mandato speciale dicti resignantis propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem Totius et integre predictae quarte partis predictorum duorum tenementorum terre insimul et contigue ut premittitur jacentium ante et retro cum singulis suis pertinentiis memorato Roberto Dyett et Margarete Stevinsoun conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundorum eorundem illis personaliter presentibus et manibus junctis pro se eorumque heredibus et assignatis prescriptis traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie et irredimabiliter sine reversione redemptione aut regressu quocunque deliberavit secundum formam et tenorem dicte resignationis literaque dispositionis desuper conficienda Tenende de prefato supremo domino nostro rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Insuper in presentia dicti ballivi personaliter comparuit Agneta Cumyng sponsa dicti Allani infra suam domum habitationis existens fixa lecto ratione egritudinis pro tempore et ibidem dicta Agneta resignavit pureque et simpliciter per fustim et baculum ut moris est extradonavit in favorem dictorum conjugum eorumque heredum et assignatorum predictorum omne jus et titulum sibi in et ad conjunctam infeodationem sive vitalem redditum predictae quarte partis competens et omnia et singula premissa approbavit et ratificavit et sacrosanctis tactis Dei evangeliiis se ad hujusmodi resignationem et renunciationem per vim aut metum dicti sui mariti minime coactam aut compulsam fuisse sed eadem ex sua mera libera et spontanea voluntate fecisse utilitate et commodo suis undique previsis et pensatis et de non revocando in futurum corporale suum prestitit juramentum Super quibus omnibus et singulis premissis prefati Robertus Dyett ejusque sponsa predicta ac eorum quilibet pro semet ipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda dictorum duorum tenementorum et infra domum habitationis dicti Allani respective horam circiter undecimam antemeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Adamo Cunyngham altero ballivorum dicti burgi Roberto Cunyngham seniore et Patricio Thom burgensibus dicti burgi Willielmo Stevinsoun et Jacobo Broun serjiandis cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR ROBERT DYETT AND HIS SPOUSE.

Instrument narrating that a prudent man, Allan Dunlop, one of the last bailies of the burgh of Irvine, compeared personally upon the grounds of those two tenements, lying contiguously and together within the said burgh, whereof a fourth part pertained to him heritably, lying on the east side of the High Street, between the tenement of David Dickie on the one side, and that of Alexander Patoun on the other; and there the said Allan, for certain sums of money paid to him at the time of the making hereof, by a prudent man, Robert Dyett, merchant, burgess of Irvine, and Margaret Stevinsoun his spouse, did resign and overgive for ever his said fourth part of the two tenements aforesaid, in the hands of an honourable man, John Blair, one of the bailies of the said burgh, in favour of the said Robert and Margaret, and for this new seizin and heritable infestment of the same to be given by him to the said spouses, and the survivor of them, in conjunct fee, and to the heirs of their marriage, which failing, to the said Robert and his heirs whatsoever, heritably and irredeemably: Upon which resignation the bailie then gave seizin in the usual form to the said Robert and Margaret his spouse, who were personally present, and received the symbols with their hands joined: Moreover, in presence of the bailie personally compeared Agnes Cumyng, spouse of the said Allan, within her own dwelling-house, being for the time confined to bed by reason of sickness, and there the said Agnes resigned, purely and simply, by staff and baton, as the manner is, all right and title competent to her to the conjunct fee or liferent of the aforesaid fourth part, and approved and ratified all and sundry the premises, and touching the sacred gospels of God, gave her bodily oath that she was not forced or compelled by force or fear to this resignation and renunciation, but did the same of her own free will, her utility and advantage having been on every side foreseen and weighed, and that she should not revoke the same in future: These things were done on the ground of the said tenements and within the dwelling-house of the said Allan Dunlop, respectively, about the eleventh hour before noon of the second day of October 1617, the witnesses present being, Adam Cunynghame, bailie of the said burgh, Robert Cunynghame, elder, and Patrick Thom, burgesses, William Stevinsoun and James Brown, serjeants.

CVII.—PRO JOANNE DEYNE JUNIORE EJUSQUE SPONSA.

Anno domini millesimo sexcentesimo decimo septimo mensis vero Octobris die decimo tercio regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo primo et decimo quinto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit providus vir Joannes Deyn senior nauta burgensis burgi de Irwing super solum et fundum illius ejus tenementi terre subscripti jacentis infra dictum burgum de Irwing ex orientali latere communis vie regie ejusdem inter tenementum Hugonis Scott ex ——— et tenementum quondam Joannis Peiblis de Brumlandis ex ——— partibus ab una et aliis Et ibidem dictus Joannes pro singularibus amore gratia et favore quos erga discretum virum Joannem Deyn ejus filium burgensem dicti burgi et Jonetam Kyl ejus sponsam habet et gerit Totum et integrum predictum ejus tenementum terre ante et retro subtus et supra cum horto horreo aggere et singulis suis pertinentiis ut premittitur jacens In manibus honorabilis viri Jacobi Quhyt unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum Unacum omnibus jure titulo et interesse sibi in et ad eundem pertinentibus In favores ac pro hac nova sasina et infeodatione hereditaria ejusdem tenementi cum pertinentiis per dictum ballivum prefatis Joanni Dein ejus filio et Jonete Kyll conjugibus eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis Quibus deficientibus dicto Joanni suisque legitimis et propinquioribus heredibus et assignatis quibuscunque hereditarie in debita et competenti forma prout congruit desuper inde danda et conficienda Reservato dicto Joanni resignanti suo vitali redditu totius et integri predicti tenementi ante et retro subtus et supra cum horto horreo aggere et singulis suis pertinentiis pro omnibus illius vite diebus ac reservato etiam vitali redditu Margarete Hamiltoun sponse dicti Joannis ejus vitalis redditus posterioris tenementi cum horto horreo aggere et pertinentiis pro omnibus ejus vite diebus Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Jacobus Quhyt ballivus antedictus virtute et vigore sui officii necnon de mandato speciale dicti Joannis resignantis propriis suis

manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem Totius et integri predicti tenementi terre ante et retro subtus et supra cum horto horreo aggere et singulis suis pertinentiis ut supra jacentis Memoratis Joanni Deyn juniori et Jonete Kyle conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi ejusdem illis personaliter presentibus et manibus junctis pro semetipsis eorumque heredibus et assignatis prescriptis acceptantibus traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie deliberavit secundum formam et tenorem dicte resignationis prescripte Reservatis ut prius reservatis Tenendi de prefato supremo domino nostro rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefati Joannes Deyn et Joneta Kyll conjuges ac eorum quilibet pro semetipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum predicti tenementi horam circiter undecimam antemeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Roberto Kyll burgensi dicti burgi Davide Walker pellione burgensi etiam dicti burgi Willielmo Steinsoun et Jacobo Broun serjiandis ejusdem testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR JOHN DEYNE, YOUNGER, AND HIS SPOUSE.

Instrument narrating that a prudent man, John Deyn, elder, mariner, burgess of Irvine, compeared personally upon the ground of that his tenement of land, lying within the said burgh, on the east side of the High Street of the same, between the tenement of Hugh Scott on the one side, and the tenement of the late John Peiblis of Brumlands on the other : And there the said John, for the singular love and favour which he had towards a discreet man, John Deyn his son, burgess of the said burgh, and Jonet Kyll his spouse, did resign the said tenement of land, before and back, under and above, with yard, barn, and tailing rig thereof, in the hands of an honourable man, James Quhyt, one of the bailies of Irvine, for this new seizin and heritable infetment of the same, to be given to the said John

Deyn his son, and Jonet Kyll his spouse, in conjunct fee, and to the heirs begotten between them, which failing, to the said John and his heirs whatsoever, heritably : Reserving to the said John, the resigner, his liferent of the said tenement and pertinents aforesaid ; and also reserving to Margaret Hamiltoun, wife of the resigner, her liferent of the same : Which resignation having been duly made, the said bailie gave seizin according to the tenor aforesaid, to the said John and Jonet, who were personally present and received the symbols with their hands joined : Done upon the ground of the said tenement, about the eleventh hour before noon of the 13th day of October 1617, the witnesses present being Robert Kyll, burgess of the said burgh, David Walker, skinner, burgess there, William Stevinsoun and James Broun, serjeants of the burgh.

CVIII.—PRO ELIZABETHA CUNYNGHAM SPONSA ARCHIBALDI
GEORGE JUNIORIS.

Anno domini millesimo sexcentesimo decimo septimo mensis vero Octobris die decimo sexto regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo primo et decimo quinto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit providis vir Joannes Cunynghame scribe in Edinburgh tanquam procurator et eo nomine Archibaldi George filii legitimi secundo geniti quondam Archibaldi George prepositi burgi de Irwing rite et legitime constitutus virtute cujusdam procuratorialis litere per dictum Archibaldum confecte de data apud ——— die mensis ——— anno domini millesimo sexcentesimo decimo septimo super solum et fundum illius tenementi terre ante et retro subtus et supra cum pertinentiis dicto Archibaldo hereditarie pertinentis jacentis infra burgum de Irwing in via ecclesiastica ejusdem ex ——— latere communis vie regie ejusdem inter tenementum quondam Patricii Tran ex ——— et tenementum ——— ex ——— partibus ab una et aliis Necnon super solum et fundum illius horti etiam dicto Archibaldo pertinentis jacentis in dicta via ecclesiastica dicto tenemento opposito inter tenementum Joannis Hilhous mercatoris ex ——— hortum Thome George ejus fratris tenemento dicto Thome adjacens vulgariter vocatum the Roxburgh Yeard ex ——— et tenementum Jacobi Patoun et Jonete

Moutray ex ——— partibus ab una et aliis Et ibidem dictus Joannes procurator antedictus et eo nomine dicti Archibaldi virtute et de mandato speciale dicte procuratorialis litere Totum et integrum predictum tenementum terre ante et retro subtus et supra cum dicto horto eidem tenemento opposito jacens ut supra In manibus honorabilis viri Allani Dunlop unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit In favorem ac pro hac nova sasina et infeodatione eorundem Elizabethhe Cunyngham conjugii dicti Archibaldi in vitali redditu pro omnibus sue vite diebus danda et in debita et competenti forma prout congruit per dictum ballivum danda et conficienda Et hoc pro observatione et impletione unius partis cujusdam contractus matrimonialis initi et confecti inter dictum Archibaldum et Elizabetham Qua resignatione sic ut premittitur facta et per dictum ballivum admissa et recepta prefatus Allanus Dunlop ballivus antedictus virtute et vigore sui officii Necnon de mandato speciale dicti Joannis procuratoris et resignantis antedicti propriis suis manibus statum et sasinam vitalis redditus pariter et possessionem corporalem actualem et realem Totius et integri predicti tenementi terre ante et retro subtus et supra Necnon totius et integri predicti horti eidem tenemento opposito jacentium respective ut premittitur Memorate Elizabethhe Cunyngham in vitali redditu pro omnibus illius vite diebus per terre et lapidis fundorum eorundem illi respective et successive personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit et deliberavit secundum formam et tenorem dicti contractus matrimonialis litereque procuratorialis antedictarum et resignationis prescripte Tenendorum de prefato supremo domino nostro rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefata Elizabetha a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda predicti tenementi et horti respective singulatim et successive per se horam circiter undecimam ante-meridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Roberto Cunyngham fratre germano dicte Elizabethhe Adamo Cunyngham uno novissimorum ballivorum dicti burgi Willielmo Greiff et Willielmo Stevinsoun serjiandis dicti burgi testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR ELIZABETH CUNYNGHAM, SPOUSE OF ARCHIBALD GEORGE,
YOUNGER.

Instrument narrating that a prudent man, John Cunynghame, writer in Edinburgh, as procurator and in name of Archibald George, second son of the late Archibald George, provost of Irvine, duly constituted in virtue of a certain letter of procuratory granted by the said Archibald, of date ——— 1617, compeared personally upon the ground of that tenement of land pertaining to the said Archibald heritably, lying within the said burgh, in the Kirkgate of the same, between the tenement of the late Patrick Tran on one side, and that of ——— on the other: also upon the ground of that yard, also belonging to the said Archibald, lying in the said Kirkgate, opposite to the said tenement, between the tenement of John Hilhous, merchant, on the ———, the yard of Thomas George his brother, adjacent to the tenement of said Thomas, commonly called the Roxburgh Yeard, on the ———, and the tenement of James Patoun and Jonet Moultray on the ———: And there the said John, procurator, did resign the aforesaid tenement, with the yard lying opposite thereto, in the hands of an honourable man, Allan Dunlop, one of the bailies of the said burgh, in favour of and for this new seizin thereof to be given to Elizabeth Cunynghame, wife of the said Archibald, in liferent; and that for observing and fulfilling one part of the contract of marriage made between the said Archibald and Elizabeth: Which resignation having been duly made, the aforesaid bailie, by virtue of his office, and at the mandate of the said procurator, did, with his own hands, give state and seizin of liferent of the aforesaid tenement, and of the yard lying opposite thereto, to the aforesaid Elizabeth Cunynghame, who was personally present and received the symbols: These things were done upon the grounds of the said tenement and yard respectively, singly, and successively, about the eleventh hour before noon of the 16th day of October 1617; the witnesses present being Robert Cunynghame, brother-german of the said Elizabeth, Adam Cunynghame, one of the last bailies of the said burgh, William Greiff and William Stevinsoun, serjeants of the same.

CIX.—PRO HUGONE NEVEINE GEORGIO HOMMILL ET ROBERTO
SPEIR, Etc.

Anno Domini millesimo sexcentesimo decimo septimo mensis vero Novembris die tercio regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo primo et decimo quinto In mei notarii publici et testium subscriptorum presentiis personaliter constitutus honorabilis vir Allanus Dunlop unus ballivorum burgi de Irwing Quia sibi clare constabat et notum fuit per autentica documenta et sasine instrumenta publice sibi ostensa perlecta et demonstrata quod quondam Hugo Nevein prefectus burgi de Irwing pater Hugonis Neveine latoris presentium obiit ultimo vestitus et sasitus ut de feodo ad pacem et fidem dicti supremi domini nostri regis in toto et integro illo tenemento terre ante et retro subtus et supra cum hortis ejusdem ac certis rodibus burgalibus eidem tenemento adjacentibus et pertinentibus vulgariter vocatis Spens housis et Spenshillis jacente infra burgum de Irwing in occidentali fine ejusdem inter communes venellas ex utraque latere super collam vulgo lie Know contigue adjacentem ripe aque de Irwing Et quod dictus Hugo Neveine est legitimus et propinquior heres ejusdem dicti quondam Hugonis sui patris de toto et integro predicto tenemento terre ante et retro subtus et supra cum horto ac rodibus burgalibus antedictis eidem adjacentibus et singulis suis pertinentiis ut supra jacente Et quod est legitime etatis Et quod de prefato supremo domino nostro rege suisque successoribus tenentur in capite more burgali Propterea prefatus Allanus Dunlop ballivus antedictus super solum et fundum dicti tenementi existens propriis suis manibus virtute et vigore sui officii statum et sasinam hereditariam pariter et possessionem corporalem actuaalem et realem Totius et integri predicti tenementi terre ante et retro subtus et supra cum horto et singulis suis pertinentiis antedictis et rodarum burgalium eidem adjacentium ut supra jacentis memorato Hugoni Nevein tanquam filio legitimo et propinquiori heredi antedicti quondam Hugonis sui patris per terre et lapidis fundi ejusdem illi personaliter presenti et acceptanti ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie deliberavit secundum formam et tenorem infeofamentorum dicti quondam Hugonis sui patris que de eisdem inde habuit salvo jure cujuslibet Tenendi de prefato supremo domino nostro rege suisque successoribus

more burgali Quibus peractis prefatus Hugo Nevein non vi aut metu ductus nec errore lapsus fraude nec dolo aliquo circumventus sed sua mera libera et spontanea voluntate et pro certis pecuniarum summis sibi tempore presentium per providos viros Georgium Hommill lanium et Robertum Speir fullonem presentem thesaurarium ac burgensem dicti burgi in pecunia numerata gratanter et integre persolutis necnon pro observatione et impletione unius ejus partis cujusdam littere dispositionis per eum illis de data presentium de dicto tenemento cum horto rodus burgalibus antedictis et singulis suis pertinentiis hereditarie et irredimabiliter facte Totum et integrum predictum suum tenementum terre ante et retro subtus et supra cum horto rodus burgalibus antedictis et singulis suis pertinentiis quibuscunque ut supra jacens In manibus prefati Allani Dunlop unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est a se suisque heredibus et assignatis quibuscunque resignavit renunciavit et extradonavit imperpetuum unacum omnibus jure titulo et interesse sibi suisve antedictis in et ad predictum tenementum rodas burgales seu aliquam earundem partem competentibus In favores ac pro hac nova sasina et infeodatione hereditaria eorundem per dictum ballivum prefatis Georgio Hommill et Roberto Speir eorumque heredibus et assignatis quibuscunque conjunctim et equaliter hereditarie et irredimabiliter absque aliqua reversione redemptione seu regressu in debita et competenti forma prout congruit danda et conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Allanus Dunlop ballivus antedictus virtute et vigore sui officii necnon de mandato speciale dicti resignantis propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actuaalem et realem Totius et integri predicti tenementi terre ante et retro subtus et supra cum horto rodus burgalibus antedictis eidem adjacentibus et singulis suis pertinentiis ut premittitur jacentis memoratis Georgio Hommill et Roberto Speir conjunctim et equaliter per terre et lapidis fundi ejusdem illis personaliter presentibus et quisquis eorum pro semet ipsis eorumque heredibus et assignatis acceptantibus ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectum hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu ut premittitur deliberavit secundum formam et tenorem dicte resignationis litereque dispositionis prescripte eo circa confecte Tenendi de predicto supremo domino nostro rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales

aliaque onera et divorias solvi solitas et consuetas tantum super quibus omnibus et singulis premissis prefatus Hugo Neveine pro semet ipso Necnon prefati Georgius Hommill et Robertus Speir ac eorum quilibet pro semet ipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi et rodarum burgalium eidem adjacentium horam circiter undecimam antemeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Thoma Neveine seniore de Monkriding Thoma Nevein ejus filio et herede apparente Willielmo Mure uno novissimorum ballivorum dicti burgi Joanne Fairlie de Langlandis Niniano Garven scriba Willielmo Greiff et Willielmo Stevinsoun serjiandis testibus ad premissa vocatis pariterque rogatis. R. BROUN.

ABSTRACT.

FOR HUGH NEVEINE, GEORGE HOMMILL, AND ROBERT SPEIR.

Instrument narrating that an honourable man, Allan Dunlop, one of the bailies of Irvine, compeared personally in presence of the notary and witnesses ; and because it clearly appeared to him by authentic documents and instruments of seizin publicly shown and read to him that the late Hugh Nevein, provost of the burgh of Irvine, died last vest and seized as of fee, at the peace and faith of the king, in that tenement of land fore and back, under and above, with the yards thereof, and certain burgh roods adjacent to the said tenement, and belonging thereto, commonly called Spens houses and Spens hills, lying within the said burgh, in the west end thereof, between the common vennels on both sides, upon the hill commonly called the Know, lying contiguously adjacent to the bank of the Water of Irvine ; and that Hugh Neveine, bearer hereof, is the lawful and nearest heir of the said deceased Hugh, his father, of the said tenement and roods : and that he is of lawful age : and that the subjects are held of the king in chief in burgage manner : therefore the said Allan Dunlop, bailie, did with his own hands give state and heritable seizin of the said tenements and roods to the said Hugh Nevein, by delivery to him of the usual symbols : which having been done, the said Hugh, of his own free will, and for certain sums of money paid to him at the same time by prudent men, George Hommill, flesher, and Robert Speir, fuller, present treasurer of the

said burgh, did surrender, and purely and simply resign, renounce, and overgive the said tenement, with yard and burgh roods, in the hand of the said bailie, for this new seizin of the same to be given by him to the said George and Robert and their heirs, conjunctly and equally, heritably and irredeemably, which the bailie accordingly did, by delivery of earth and stone of the ground of the said subjects to the said George and Robert, who were personally present: Done upon the ground aforesaid, about the eleventh hour before noon of the third day of November 1617: witnesses, Thomas Neveine, elder of Monkriding, Thomas Nevein his son and heir-apparent, William Mure, one of the last bailies of the said burgh, John Fairlie of Langlands, Ninian Garven, writer, William Greiff and William Stevinsoun, serjeants.

CX.—PRO ALEXANDRO CUNYNGHAME SENIORE ET MARGARETA
CUNYNGHAME EJUS SPONSA, Etc.

Anno Domini millesimo sexcentesimo decimo septimo mensis vero Novembris die sexto regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo primo et decimo quinto In mei notarii publici et testium subscriptorum presentiis personaliter comparuerunt probe persone Archibaldus George filius legitimus secundo genitus quondam Archibaldi George prefecti burgi de Irwing et Issobella Cunynghame ejus sponsa super solum et fundum illius eorum tenementi terre jacentis infra burgum de Irwing in via ecclesiastica ex occidentali latere ejusdem jacentis inter tenementum quondam Patricii Tran nunc vero Jacobi Tran ejus filii ex ——— et tenementum Thome Randel ex ——— partibus ab una et aliis Et deinde et immediate postea super solum et fundum illius eorum pecie horti jacentis in dicta via ecclesiastica ex orientali latere ejusdem predicto eorum tenemento oppositi jacentis inter tenementum Jacobi Patoun et Jonete Mowtray ex ——— tenementum Joannis Hilhous ex ——— et hortum tenementi de Roxburgh ad Thomam George ejus fratrem pertinens directe limitans cum predicta pecia horti ex ——— partibus ab una et aliis Et ibidem dictus Archibaldus cum expressis avisamento et consensu prefate Issobelle sue sponse ac dicti conjuges cum unanimi consensu et assensu pro summa septem centum mercarum usualis monete hujus regni Scotie illis premanibus providi viri Alexandri Cunynghame senioris mercatoris burgensis dicti

burgi de Irwing et Margarete Cunynghame ejus sponse plenarie et integre in pecunia numerata tempore presentium confectionis persoluta de quaquidem summa dicti conjuges tenebant se bene contentos dictosque Alexandrum et Margaretam conjuges de eadem exonerarunt et quieteclamarunt per hujus presentis instrumenti tenorem Necnon pro observatione et impletione unius eorum partis cujusdam contractus alienationis inter eos penes dicti tenementi et pecie horti prescripti alienationem et penes hoc presens infeofamentum subscriptum de data presentium confectum Totum et integrum predictum eorum tenementum terre ante et retro subtus et supra cum pertinentiis et peciam horti prescripti jacentia et bondata respective ut premittitur In manibus honorabilis viri Allani Dunlop unius ballivorum dicti burgi de Irving sursum reddiderunt pureque et simpliciter per fustim et baculum ut moris est resignarunt renunciarunt et extradonarunt imperpetuum Unacum omnibus jure titulo et interesse illis in et ad eadem seu aliquam eorundem partem competentibus In favorem ac pro hac nova sasina et infeodatione hereditarie per dictum ballivum prefatis Alexandro et Margarete Cunynghames conjugibus eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis quibus deficientibus dicto Alexandro suisque legitimis et propinquioribus heredibus et assignatis quibuscunque hereditarie in debita et competenti forma prout congruit danda et conficienda Salvo tamen et reservato prefato Archibaldo suisque heredibus et assignatis quibuscunque jure redemptionis eorundem secundum tenorem reversionis in dicto contractu specificate Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Allanus Dunlop ballivus antedictus virtute et vigore sui officii necnon de mandatis specialibus dictorum Archibaldi et Issobelle resignantium propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem Totius et integri predicti tenementi terre ante et retro subtus et supra et pecie horti prescripti cum singulis eorundem pertinentiis jacentium et bondatorum respective ut premittitur memoratis Alexandro et Margarete Cunynghames conjugibus eorum alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundorum eorundem respective et successive illis personaliter presentibus et manibus junctis pro semet ipsis eorum prescriptis acceptantibus traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie deliberavit secundum tenorem dicte resignationis prescripte ac contractus alienationis antedicti eo circa confecti salvo tamen

et reservato prefato Archibaldo ejusque sponse eorumque prescriptis jure redemptionis eorundem secundum tenorem reversionum illi desuper confectarum Tenendorum de prefato supremo domino nostro rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum In super in presentia dicti ballivi personaliter comparuit prefata Issobella super sola et funda dicti tenementi et horti respective prescriptorum extra presentiam prefato Archibaldi sui mariti et omnia et singula premissa sic ut premittitur facta ratificavit et approbavit et sacrosanctis tactis Dei evangeliiis se ad premissa minime coactam aut compulsam fuisse sed eadem ex sua mera libera et spontanea voluntate fecisse utilitate et commodo suis undique previsis et pensatis et de non revocando in futurum corporalem suum prestitit juramentum Super quibus omnibus et singulis premissis prefati Alexander et Margareta Cunynghames conjuges ac eorum quilibet pro semet ipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda dictorum duorum tenementorum respective singulatim et successive per se horam circiter secundam post meridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Thoma Nevein juniore de Monkriding Willielmo Wallace de Marres Alexandro Cunynghame juniore mercatore burgensi de Irwing Willielmo Steinsoun et Willielmo Greir serjiandis dicti burgi testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR ALEXANDER CUNYNGHAME ELDER, AND MARGARET CUNYNGHAME HIS SPOUSE.

Instrument narrating that prudent persons, Archibald George, second son of the late Archibald George, provost of the burgh of Irvine, and Isabella Cunyngham his spouse, compeared personally upon the ground of that their tenement of land lying within the burgh aforesaid, in the Kirkgate, and on the west side thereof, between the tenement of the late Patrick Tran, now of James Tran his son, on the ——— and the tenement of Thomas Randel on the ———: and then immediately afterwards, upon the ground of that their piece of yard lying in the said Kirkgate, on the east

side thereof, opposite to their tenement aforesaid, lying between the tenement of James Patoun and Jonet Mowtray on the ———, the tenement of John Hilhous on the ———, and the yard of the tenement of Roxburgh belonging to Thomas George his brother, directly marching with the aforesaid piece of yard, on the ———: and there the said Archibald, with consent of the said Isabella his spouse, and they both with one consent, for the sum of 700 merks usual money of this realm of Scotland, fully and wholly paid to them in counted money by a prudent man, Alexander Cunynghame, elder, merchant, burgess of Irvine, and Margaret Cunynghame his spouse: and for implement of their part of a contract of alienation made between them, of the date hereof, did resign all and whole their tenement aforesaid, fore and back, below and above, and the piece of yard before written, in the hands of an honourable man, Allan Dunlop, one of the bailies of the said burgh, in favour of and for new seizin to be given by him to the aforesaid Alexander and Margaret, and the survivor of them in conjunct fee, and the heirs of their marriage, which failing, to the said Alexander and his nearest heirs whatsoever, heritably; saving and reserving to the said Archibald and his heirs the right of redemption of the same, according to the tenor of the reversion specified in the said contract: which resignation having been thus duly made, the said bailie gave seizin accordingly to the said Alexander and Margaret Cunynghame, spouses, who were personally present and received the same with their hands joined: Thereafter, the said Isabella, in presence of the bailie, and outwith the presence of her husband, made declaration and oath with the usual solemnity that she was not forced to the said alienation, and would never revoke the same: These things were done upon the ground of the said two tenements respectively, about the second hour after noon of the 6th day of November 1617, the witnesses present being Thomas Nevein, younger, of Monkriding, William Wallace of Marres, Alexander Cunynghame, younger, merchant, burgess of Irvine, William Stevinsoun and William Greir, serjeants.

CXI.—PRO ANDREA TRAN EJUSQUE SPONSA.

Anno domini millesimo sexcentesimo decimo septimo mensis vero Novembris die octavo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo primo et decimo quinto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit providus vir Jacobus Tran mercator filius legitimus tercio genitus quondam Patricii Tran prepositi burgi de Irwing super solum et fundum istius ejus quarte partis prati vocati Ruidmeidow jacentis infra territorium dicti burgi inter terras vocatas Inner Bogfaulds ex boreali lie taillings ex occidentali et terras quondam Roberti Tailzeour nunc vero heredum dicti quondam Roberti ex australi partibus Et ibidem prefatus Jacobus nunc post ejus legitimam et perfectam etatem viginti unius annorum completam pro certis pecuniarum summis sibi tempore presentium confectiois per honorabilem virum Andream Tran urbisprefectum dicti burgi de Irwin ejus fratrem germanum et Barbaretam Montgomerie ejus sponsam in pecunia numerata plenarie et integre persolutis necnon pro observatione et impletione unius ejus partis cujusdem dispositionis litere per eum dictis conjugibus de predicta ejus quarta parte prati prescripti de data presentium confecte Totam et integram predictam ejus quartam partem prati vocati Ruidmeidow cum singulis suis pertinentiis jacentis et bondati ut prefertur unacum omnibus jure titulo et interesse sibi suisve heredibus et assignatis in et ad eandem competentibus In manibus honorabilis viri Allani Dunlop unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit In favores ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum prefatis Andree et Barbarete Montgomerie conjugibus eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis Quibus deficientibus dicto Andree suisque legitimis et propinquiioribus heredibus et assignatis quibuscunque hereditarie et irredimabiliter absque aliqua reversione redemptione seu regressu quocunque de eadem quarta parte predicti prati cum singulis suis pertinentiis danda et in debita et competenti forma prout congruit conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Allanus Dunlop ballivus antedictus virtute et vigore sui officii necnon de mandato speciale dicti Jacobi

Tran resignantis propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actuaalem et realem Totius et integre predictae quarte partis prati vocati Ruidmeidow cum singulis suis pertinentiis ut supra jacentis memoratis Andree Tran et Barbarete Montgomerie conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi ejusdem illis personaliter presentibus et manibus junctis acceptantibus traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie et irredimabiliter sine aliqua reversione redemptione aut regressu quocunque deliberavit secundum formam et tenorem dicte litere dispositionis ac resignationis prescripte Tenende de preposito ballivis consilibus et communitate dicti burghi de Irwin in feudifirma feodo et hereditate imperpetuum Reddendo inde annuatim feudifirme firmas et divorias pro eisdem perprius solvi solitas et consuetas ac in dicti Jacobi suorumque predecessorum infeofamentis contentas Super quibus omnibus et singulis premissis prefati Andreas et Barbarete conjuges ac eorum quilibet pro semet ipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum predictarum terrarum horam circiter terciam post meridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Alexandro Montgomerie mercatore Cuthberto Davie juniore pistore burgensibus de Irwin et Willielmo Greir serjiando cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR ANDREW TRAN AND HIS SPOUSE.

Instrument narrating that a prudent man, James Tran, merchant, third son of the late Patrick Tran, provost of Irvine, personally compeared upon the ground of that his fourth part of the meadow, called the Ruidmeadow, lying within the territory of the said burgh, between the lands called the Inner Bogfaulds on the north, the rigs on the west, and the lands of the late Robert Tailyeour, but now of his heirs, on the south : And there the said James, now after his lawful and perfect age of twenty-one years complete, for certain sums of money fully paid to him in counted money at the time of the making hereof, by an honourable man, Andrew Tran, provost of the burgh of Irvine, his brother-german, and Barbara Montgomerie his spouse ; also for observing and fulfilling of his part of a disposition granted

by him to the said spouses, did surrender, and purely and simply resign, by staff and baton, in the hands of an honourable man, Allan Dunlop, one of the bailies of the said burgh, all and whole his fourth part of the meadow aforesaid, in favour of and for new infeftment to be given by the bailie to the said Andrew and Barbara in conjunct fee, and to their heirs heritably : Whereupon, the bailie having admitted and received the said resignation, did, with his own hands, give state and seizin of the said fourth part to the said spouses, they receiving the symbols with their hands joined : To be holden of the provost, bailies, councillors, and community of the said burgh, in feuferme, fee, and heritage, for the payment yearly of the feuferme fermes and duties used and wont : These things were done upon the ground of the said lands, about the third hour after noon of the 8th day of November 1617, the witnesses being, Alexander Montgomerie, merchant, Cuthbert Davie, younger, baker, burgesses of Irvine, and William Greir, serjeant.

CXII.—PRO NINIANO BARCLAY.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo septimo mensis vero Novembris die vigesimo quinto regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo primo et decimo quinto In mei notarii publici testium subscriptorum presentiis personaliter comparuit probus adolescens Hugo Barclay filius legitimus tercio genitus quondam Niniani Barclay prepositi burgi de Irwing inter eum et Mariotam Ros ejus sponsam legitime procreatus super solum et fundum illius ejus tenementi terre sive horrei et aggeris vulgo lie tailing rig eidem adjacentis jacentium infra burgum de Irwing olim quondam Willielmo Robisoun hereditarie pertinentium inter tenementum et terras ——— ex ——— et ——— ex ——— et communem viam qua itur ad aquam de Annok ex ——— partibus ab una et aliis Et ibidem dictus Hugo pro certis pecuniarum summis sibi tempore presentium confectionis per providum virum Ninianum Barclay mercatorem burgensem burgi de Irwing ejus fratrem germanum necnon pro observatione et impletione unius ejus partis cujusdam dispositionis litere per eum dicto Niniano heredibus suis et assignatis quibuscunque de toto et integro ejus predicto tenemento et aggere cum singulis suis pertinentiis ut supra jacentibus

de data presentium confecte Totum et integrum predictum ejus tenementum terre sive horreum cum aggere vulgo lie tailing rig et singulis ejusdem pertinentiis ut supra jacens unacum omnibus jure juris titulo interesse jurisclameo proprietate et possessione illi suisve heredibus et assignatis in et ad idem tenementum cum pertinentiis competentibus In manibus honorabilis viri Allani Dunlop unius ballivorum dicti burgi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum In favorem ac pro hac nova sasina et infeodatione hereditarie per dictum ballivum prefato Niniano Barclay ejus fratri germano heredibusque de illius corpore legitime procreatis seu procreandis quibus deficientibus legitimis et propinquioribus heredibus et assignatis dicti Niniani quibuscunque hereditarie de eodem desuper danda et in debita et competenti forma prout congruit conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Allanus Dunlop ballivus antedictus virtute et vigore sui officii necnon de mandato speciale dicti resignantis propriis suis manibus statum et sasina hereditariam pariter et possessionem corporalem actualem et realem Totius et integri predicti tenementi terre sive horrei et aggeris ejusdem cum singulis suis pertinentiis ut supra jacentium memorato Niniano Barclay personaliter presenti et acceptanti per terre et lapidis fundi ejusdem illi ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie deliberavit secundum formam et tenorem dicte resignationis litereque dispositionis prescripte (salvo tamen et reservato heredibus dicti quondam Willielmi Robisoun juri redemptionis ejusdem secundum tenorem reversionis dicto quondam Willielmo per quondam Ninianum Barclay patrem dicti Hugonis concesse etc.) Tenendi de dicto supremo domino nostro rege suisque successoribus more burgali Reddendo inde annuatim firmas burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefatus Ninianus a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum dicti tenementi horam circiter octavam mane aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Magistro Joanne Peiblis feoditario de Knogerhill Archibaldo Barclay fabro murario burgensi de Irwing Jacobo Neilsoun et Eduardo Cawan comburgensibus dicti burgi et Willielmo Greir serjiando testibus ad premissa vocatis pariterque rogatis.

R. BROWN.

ABSTRACT.

FOR NINIAN BARCLAY.

Instrument narrating that a worthy young man, Hugh Barclay, third-born son of the late Ninian Barclay, provost of the burgh of Irvine, procreated between him and Marion Ros his spouse, compeared personally on the ground of that his tenement of land, or barn, and tailing rig adjacent thereto, lying within the burgh of Irvine, pertaining heritably before to the late William Robisoun, between the tenement and lands of ——— on the ——— and the common way leading to the water of Annok on the ——— : And there the said Hugh, for certain sums of money paid to him, at the time of the making hereof, by a prudent man, Ninian Barclay, merchant, burgess of Irvine, his brother-german, and also for observing and fulfilling of a disposition made by him to the said Ninian, did surrender, and purely and simply resign and overgive, the aforesaid tenement or barn, and tailing rig, in the hands of an honourable man, Allan Dunlop, one of the bailies of the said burgh, in favour of and for this new seizin to be given by him to the said Ninian, and the heirs of his body, which failing, to his nearest heirs whatsoever, heritably ; Upon which resignation, duly made, the said bailie, by virtue of his office, and also at the special mandate of the resigner, gave state and heritable seizin of the tenement or barn, and of the tailing rig aforesaid, to the said Ninian Barclay, by delivery to him of the usual symbols : Reserving to the heirs of the said William Robisoun the right of redemption of the same, according to the tenor of the reversion granted to the said William by the late Ninian Barclay, father of the said Hugh : These things were done on the ground aforesaid, about the eighth hour of the morning of the 25th day of November 1617, before witnesses, namely, Master John Peibles, fear of Knogerhill, Archibald Barclay, mason, burgess of Irvine, James Neilsoun and Edward Cawan, co-burgesses, and William Greir, serjeant.

CXIII.—PRO JACOBO SCOTT ET AGNETA BLAIR EJUS
SPONSA, ETC.

Anno domini millesimo sexcentesimo decimo septimo mensis vero Novembris die vigesimo octavo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo primo et decimo quinto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit discretus vir Willielmus Wallace de Marres super solum et fundum istius magni edificii sive tenementi terre ad Laurencium Scott de Harperrig advocatum coram dominis consilii et sessionis hereditarie pertinentis jacentis infra burgum de Irwing ex ——— latere communis vie regie ejusdem oppositi vie marine dicti burgi inter tenementum Roberti Craig burgensis dicti burgi ex australi et tenementum Joannis Deyn ex boreali et occidentali partibus vulgo lie north west pairtes communem viam regiam ex australi et orientali vulgo south eist et lacum vocatum Scottis Loch ex boreali et orientali partibus vulgo lie north eist pairtes Et deinde et immediate postea super solum et fundum illarum viginti solidatarum terrarum antiqui extentus de Gallowmure etiam ad dictum Laurencium hereditarie pertinentium jacentium infra territorium dicti burgi balliatum de Cunynghame et infra vicecomitatum de Air Et ibidem respective singulatim et successive per se prefatus Willielmus Wallace de Marres tanquam procurator et eo nomine dicti Laurencii rite et legitime constitutus virtute cujusdam procuratorialis litere in quoddam contractu alienationis contente facto inter dictum Laurencium ex una et Jacobum Scott ejus fratrem germanum pro semet ipso et onus super eum acceptantem pro Agneta Blair ejus sponsa necnon dictam Agnetam propter semet ipsam et cum avisamento et assensu dicti Jacobi sui mariti pro ejus interesse et dictos conjuges unanimi consensu et assensu partibus ab altera penes hoc presens infeofamentum subscriptum de data apud Edinburgh vigesimo quarto die mensis Novembris anno domini millesimo sexcentesimo decimo septimo pro obediencia mandati specialis dicte procuratorialis litere Totum et integrum predictum magnum edificium sive tenementum terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis ut supra jacens Necnon totas et integras predictas viginti solidatas terrarum antiqui extentus de

Gallowmuir cum singulis suis pertinentiis ad dictum Laurencium Scott hereditarie pertinentes In manibus honorabilis viri Allani Dunlop unius ballivorum dicti burgi sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et extradonavit imperpetuum unacum omnibus jure titulo interesse et jurisclameo dicto Laurencio suisve heredibus et assignatis in et ad predictum tenementum et terras seu aliquam earundem partem competentibus In favores ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum prefatis Jacobo Scott et Agnete Blair conjugibus eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter eos legitime procreatis seu procreandis Quibus deficientibus dicto Jacobo suisque legitimis et propinquioribus heredibus et assignatis quibuscunque hereditarie in debita et competenti forma prout congruit eorundem danda et conficienda Qua resignatione sic ut premittitur facta debite et legitime per dictum ballivum admissa et recepta prefatus Allanus Dunlop ballivus antedictus virtute et vigore sui officii necnon de mandato speciale dicti Willielmi Wallace de Marres procuratoris ac resignantis antedicti propriis suis manibus statum et sasinam hereditaream pariter et possessionem corporalem actualem et realem Totius et integri predicti magni edificii sive tenementi terre ante et retro subtus et supra cum horto aggere et singulis suis pertinentiis ut supra jacentis Necnon totarum et integrarum prefatarum viginti solidatarum terrarum antiqui extentus de Gallowmure cum singulis suis pertinentiis etiam ut premittitur jacentium memoratis Jacobo Scott et Agnete Blair conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundorum eorundem respective et successive illis personaliter presentibus et manibus junctis acceptantibus ut moris est traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie deliberavit secundum formam et tenorem dicte resignationis littereque procuratorialis prescripte ac contractus alienationis predictae ac sub reversionis conditionibus in eodem contentis Tenendum totum et integrum predictum magnum edificium sive tenementum terre de prefato supremo domino nostro rege suisque successoribus more burgali pro annuali solutione firmarum burgalium tantummodo Necnon tenendas prefatas viginti solidatas terrarum de Gallowmure cum pertinentiis de urbisprefecto ballivis consulibus et communitate dicti burgi in feudifirma et hereditate imperpetuum Reddendo inde annuatim feudifirme firmas et divorias in antiquis originalibus infeofamentis dictarum terrarum ac libro

rentali dicti burgi contentas Super quibus omnibus et singulis premissis prefati Jacobus Scott et Agneta Blair conjuges ac eorum quilibet pro semet ipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super sola et funda dictorum magni edificii et viginti solidatarum terrarum de Gallowmure respective singulatim et successive per se inter horas nonam et decimam antemeridiam aut eo circa sub anno die mense regnisque regis quibus supra presentibus ibidem Joanne Blair uno novissimorum ballivorum dicti burgi Roberto Craig et Roberto Speir burgensibus dicti burgi et Willielmo Greir et Willielmo Stevinsoun serjiandis ejusdem testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR JAMES SCOTT AND AGNES BLAIR HIS SPOUSE.

Instrument narrating that a discreet man, William Wallace of Marres, compeared personally upon the ground of that great building or tenement of land, belonging heritably to Laurence Scott of Harperrig, advocate, before the lords of Council and Session, lying within the burgh of Irvine, on the ——— side of the High Street thereof, opposite to the Seagate, between the tenement of Robert Craig, burgess, on the south, the tenement of John Deyn on the north-west, the High Street on the south-east, and the loch called Scott's Loch on the north-east: And then, immediately afterwards, upon the ground of those twenty shilling lands of old extent of Gallowmure, also pertaining heritably to the said Laurence, lying within the territory of the said burgh, in the bailiery of Cunynghame and shire of Ayr: And there the said William Wallace, as procurator and in name of the said Laurence, lawfully constituted by virtue of a letter of procuratory contained in a contract of alienation, made between the said Laurence on the one part, and James Scott his brother-german, for himself, and taking burden upon him for Agnes Blair his spouse, and the said Agnes for herself, on the other part, of date, at Edinburgh, 24th November 1617;— for obedience to the special mandate of the said procuratorial letter, did resign the aforesaid building or tenement, with yard and tailing rig, also the aforesaid lands of Gallowmure, in the hands of an honourable man,

Allan Dunlop, one of the bailies of Irvine, who thereupon gave state and heritable seizin of the same to the said James Scott and Agnes Blair, spouses, and the survivor of them, in conjunct fee, and to their heirs, by delivery to them of earth and stone of the grounds thereof respectively, singly and successively, they being personally present and accepting of the same with their hands joined: To be holden, the said great building or tenement, of the king, in manner of burgh; and the said lands of Gallowmure, of the provost, bailies, council, and community of the said burgh, in feu ferme and heritage: These things were done on the grounds aforesaid respectively, singly and successively, between the hours of nine and ten before noon of the 28th day of November 1617, the witnesses present being John Blair, one of the last bailies of Irvine, Robert Craig and Robert Speir, burgesses, William Greir and William Stevinsoun, serjeants.

CXIV.—PRO STEPHANO QUHYT JUNIORE ET MARIOTA
CUNYNGHAME EJUS SPONSA.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis dominice millesimo sexcentesimo decimo septimo mensis vero Decembris die duodecimo regnorumque supremi domini nostri Jacobi Dei gratia Magne Britannie Francie et Hibernie regis fideique defensoris annis quinquagesimo primo et decimo quinto In mei notarii publici et testium subscriptorum presentiis personaliter comparuit providus vir David Stewart de Crivochmylnes super solum et fundum illius sui tenementi terre jacentis infra burgum de Irwing ex orientali latere communis vie regie ejusdem inter tenementum quondam Hugonis Tran ex australi et tenementum olim quondam Mathei Cunynghame nunc vero Roberti Cunynghame ex boreali partibus ab una et aliis Et ibidem dictus David pro observatione et impletione unius ejus partis cujusdam dispositionis littere per eum probis personis Stephano Quhyt juniore mercatori burgensi dicti burgi de Irwing et Mariote Cunynghame ejus sponse de data presentium confecte ac pro certis pecuniarum summis sibi per dictos conjuges tempore presentium confectionis plenarie et integre in pecunia numerata persolutis modo in dicta dispositionis littera contento Totum et integrum predictum ejus tenementum terre ante et retro subtus

et supra cum duobus aggeribus vulgo lie tua tailling rigis cum singulis suis pertinentiis quibuscunque jacens et bondatum ut premittitur unacum omnibus jure juris titulo interesse jurisclameo proprietate et possessione tam petitorio quam possessorio que seu quas dictus David suive heredes successores seu assignati in et ad predictum tenementum terre duos aggeres eodem tenemento adjacentes seu aliquam earundem partem cum pertinentiis habuerunt habent seu quovismodo in futurum habere clamare vel pretendere poterint In manibus honorabilis viri Allani Dunlop unius ballivorum dicti burgi de Irwing sursum reddidit pureque et simpliciter per fustim et baculum ut moris est resignavit renunciavit et a se suisque heredibus successoribus et assignatis extradonavit imperpetuum In favores dictorum Stephani et Mariote conjugum eorumque heredum et assignatorum subscriptorum ac pro hac nova sasina et infeodatione hereditaria per dictum ballivum illis eorumque alteri diutius viventi in conjuncta infeodatione heredibusque inter ipsos legitime procreatis seu procreandis Quibus forte (quod absit) deficientibus dicto Stephano suisque legitimis et propinquiorebus heredibus et assignatis quibuscunque hereditarie et irredimabiliter absque aliqua reversione redemptione seu regressu quocunque de eodem tenemento cum singulis suis pertinentiis prescriptis danda et in debita et competenti forma prout congruit desuper conficienda Qua resignatione sic ut premittitur facta et per dictum ballivum debite et legitime ut premittitur admissa et recepta prefatus Allanus Dunlop ballivus antedictus virtute et vigore sui officii Necnon de mandato speciale dicti Davidis resignantis propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem actualem et realem Totius et integri prefati tenementi terre ante et retro subtus et supra cum horto duobus aggeribus prescriptis et singulis suis pertinentiis quibuscunque jacentis et bondati ut premittitur memoratis Stephano Quhyt et Mariote Cunynghame conjugibus eorumque alteri diutius viventi in conjuncta infeodatione per terre et lapidis fundi ejusdem illis personaliter presentibus et manibus junctis pro semetipsis eorumque heredibus et assignatis prescriptis acceptantibus traditionem et deliberationem dedit tradidit pariter et cum effectu hereditarie et irredimabiliter absque aliqua reversione redemptione seu regressu quocunque ut premittitur secundum formam et tenorem dicte resignationis litereque dispositionis prescripte eo circa confecte in omnibus deliberavit Tenendi de dicto supremo domino nostro rege suisque successoribus more burgali Reddendo inde annuatim firmas

burgales aliaque onera et divorias solvi solitas et consuetas tantum Super quibus omnibus et singulis premissis prefati Stephanus et Mariota conjuges ac eorum quilibet pro semetipsis a me notario publico subscripto sibi fieri petierunt hoc presens publicum instrumentum seu plura publica instrumenta unum sive plura Acta erant hec super solum et fundum predicti tenementi et aggerum horam circiter terciam postmeridiem aut eo circa sub anno die mense regnisque regis quibus supra Presentibus ibidem Jacobo Scott notario et Niniano Garven filio legitimo natu maximo quondam Hugonis Garven communis scribe dicti burgi de Irwing Willielmo Greir et Willielmo Stevinsoun serjiandis dicti burgi testibus ad premissa vocatis pariterque rogatis.

R. BROUN.

ABSTRACT.

FOR STEPHAN QUHYT, YOUNGER, AND MARION CUNYNGHAME HIS SPOUSE.

Instrument narrating that a prudent man, David Stewart of Crivochmylnes, compeared personally upon the ground of that his tenement of land, lying within the burgh of Irvine, on the east side of the High Street thereof, between the tenement of the late Hugh Tran on the south, and the tenement formerly of the late Mathew Cunynghame, but now of Robert Cunynghame, on the north: And there the said David, for observing and fulfilling his part of a disposition made by him to the worthy persons, Stephan Quhyt, younger, merchant, burgess of Irvine, and Marion Cunynghame his spouse, of the date hereof, and for certain sums of money paid to him by the said spouses, at the time of the making of these presents, did surrender, and purely and simply resign, renounce, and overgive, the tenement aforesaid, with two tailing rigs adjacent thereto, in the hands of an honourable man, Allan Dunlop, one of the bailies of Irvine, in favour of the said Stephan and Marion, spouses, in conjunct fee, and the heirs of their marriage, which haply failing (may it not be!), to the said Stephan and his heirs whatsoever, heritably and irredeemably, without any reversion, redemption, or regress whatsoever: Upon which resignation, so lawfully made, the bailie gave state and heritable seizin of the subjects aforesaid to the said Stephan Quhyt and Marion Cunynghame, who were

personally present and received the symbols with their hands joined :
 These things were done upon the ground aforesaid, about the third hour
 after noon of the 12th day of December 1617, the witnesses present being
 James Scott, notary, and Ninian Garven, eldest son of the late Hugh
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